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Assessment of the Situation of Ethnic Minorities in Kosovo
(Period covering March 2001 through August 2001)

Executive Summary

This report, the eighth in a series jointly produced by UNHCR and OSCE, is intended to provide an overview of the problems confronted by minority communities living in Kosovo today. Drawing on the extensive field network of both contributing organisations, in addition to information from a variety of other sources, we aim to provide the reader with a frank and comprehensive overview of the daily life experiences of these communities. We hope this report will be viewed as informed and objective commentary, detached from any particular ideology or agenda other than, that of discharging our respective institutional mandates of providing support and protection to those whose human rights have been, and continue to be, violated. In addition to this reporting mechanism, we have jointly chaired the Ad Hoc Task Force on Minorities over a period of two years, applying that inter-agency forum as a means of highlighting the concerns of minority communities and developing appropriate solutions in response. During the course of this reporting period, the Ad Hoc Task Force was disbanded. The current realities of Kosovo demand a more complex and comprehensive approach that could not be met by an ad hoc mechanism driven only by good will. In future the role and function assumed by the Task Force should be taken on and expanded upon by UNMIK in the form of an Advisory Board on Local Communities.

Though conscious of the growing complexity and sensitivity surrounding minority issues and cognisant of the tendency to speak of local communities as opposed to minorities, we have maintained the structure and terminology of previous reports. This is not done out of insensitivity but rather out of efficacy. Therefore, we continue to use the phrase minority and its use simply refers to any community that lives in a situation where they are a numeric minority relative to the communities surrounding them. As such, the term is as applicable to Kosovo Serbs in Gračanica/Ulpiana as it is to Kosovo Albanians in north Mitrovica/Mitrovica. In preparing this latest assessment it is once again apparent to both organisations that the minority communities in Kosovo continue to work proactively to shape their own destiny. The efforts taken by each minority community to identify and define their own character and contribution within Kosovo are crucial determinants of their future and as such merit close attention. The support of their fellow citizens, local authorities and the international community in their efforts to fulfil their potential as valued members of society, free from ethnically motivated violence, intimidation and discrimination, remains essential. No functional democratic society can hope to sustain its development carrying the burden of intolerance that still characterises much of Kosovo. The challenge of breaking this destructive and self-perpetuating circle is one that all citizens of Kosovo will have to rise to if the future is to be free of the injustice of the past.

While security remains an overriding concern, it is not as dominant a factor as in previous reports. The series of violent attacks, which occurred toward the end of the last reporting period, have not been repeated. Once again however, we have listed numerous security incidents, the frequency and severity of which underline the volatile nature of the overall situation. In addition to serious incidents of violence, the constant stress of humiliation and isolation in minority communities can not be underestimated. Harassment and intimidation that does not rise to the level of actual violence is a highly effective way of impeding upon the fundamental rights of minorities to live and flourish in Kosovo, in a manner comparable to that of their fellow citizens, regardless of ethnicity. Economic hardships, an inevitable

consequence of prolonged isolation and limited inter-action have also taken their toll. The theft of cattle and agricultural equipment has emerged as a primary concern for many rural minority communities. Such criminal activity perpetuated against minorities, which robs people, not of their lives but of their livelihoods, is increasingly viewed as the final determinant in the decision to leave Kosovo permanently. Set against the many challenges facing minorities in Kosovo, we have also identified a number of positive examples of inter-ethnic communication and co-operation, which we have included in this assessment to provide a more comprehensive picture of the differing dynamics of inter-ethnic relations. Relatively simple activities such as village and neighbourhood meetings do take place and it is important to recognise these tentative steps towards normality in order to have a clear grasp of the complex realities of Kosovo. Bombs and shootings may continue to dominate the headlines but against this difficult backdrop, low key and genuine confidence building measures take place nonetheless.

The period has seen significant developments with respect to the return of minority communities. While actual return currently remains impossible in many locations due to continuing security threats, a number of small-scale movements, that have taken place among the different minority communities, offer some promise for the future. There has been a growing openness by the general community to discuss the issue of return and an encouraging, albeit hesitant, recognition in some parts of Kosovo society that the return of minority refugees and displaced persons is not a threat but rather the exercise of a basic human right. It would however be premature to enthuse about the progress made on returns without fully recognising the fact that members of minority communities continue to leave Kosovo convinced that there is no sustainable future for them in the long term. Returns and departures are intrinsically linked and any objective analysis of return prospects must give full weight to the difficult conditions still faced by most minority communities.

Bearing in mind the significant changes that have taken place in Kosovo since UNHCR and OSCE first instituted this reporting mechanism in the summer of 1999, any serious analysis of the reality of the multi-ethnic character of Kosovo must go beyond the outward image of a society torn by inter-ethnic conflict, and assess the underlying complexities that drive inter-ethnic relations in Kosovo. We touch upon many of the thematic issues covered in previous reports with a view to providing an update on any relevant progress and/ or setbacks in the intervening period. Freedom of movement for minority communities continues to be elusive. Likewise, access to many basic services remains problematic despite increased recognition by some service providers of the challenges they must meet in discharging their obligation to deliver equitably to all their clients regardless of ethnicity. We have noted increased efforts on the part of UNMIK and others to devise workable solutions but have equally noted that the additional diligence and material resources that such efforts demand continue to be an obstacle to sustainable progress.

We aim to be forward thinking and to present information in an open manner, highlighting areas of concern and to the degree possible suggesting workable solutions. As Kosovo moves towards yet another important benchmark in the fulfilment of Security Council Resolution 1244, with the elections for the Kosovo Assembly, scheduled for 17 November 2001, it is hoped that this report will serve as a reference and working tool for all those concerned with the situation of minorities. A theme raised time and again during the information gathering and drafting stages of this report, has been the importance of local actors in developing civil society. Only Kosovars can shape an inclusive and egalitarian society. The guidance and support of the international community is indispensable but in the end the challenge lies with each and every Kosovar to embrace the possibility of a better future and to help each other to attain this. Minority communities should not be viewed as passive victims of aggression, just as the majority community as a whole should not be perceived as the aggressors. Instead, the focus needs to be on the right and obligation of all residents of Kosovo to work together in an open-minded and unbiased way to realise the peaceful Kosovo they aspire to.

Security and policing.

1. The general security situation for minorities across Kosovo stabilised noticeably during this period. The number of serious security incidents affecting minorities decreased for all minorities in almost all regions of Kosovo. As a result there have also been some improvements in freedom of movement, which may be interpreted as tentative confidence on the part of minorities in response to this relatively prolonged period largely free of serious security incidents resulting in fatalities. Additionally, information gathered on population figures shows that the overall estimated numbers of minority communities in Kosovo have remained fairly constant. Continued fears about security mean that few minorities have returned to Kosovo. At the same time the numbers of minorities leaving has tapered off. The motivation for ongoing departures is frequently linked to quality of life issues, in particular the lack of employment prospects, rather than immediate security concerns. However, such a conclusion should not be drawn in isolation from the reality that past, continuing and anticipated, violence continues to overshadow peoples' lives. What may on the surface appear to be solely socio-economic push factors are invariably influenced by the pervading climate of insecurity that exists within minority communities.
2. It must be stressed that the perceived improvement in security remains extremely tentative. The negative attitudes and perceptions that continue to drive the post-conflict situation, can come to the fore and lead to a sharp deterioration at any time. A shocking reminder of the fragility of the security situation was the shooting of a family of five Kosovo Albanians in Glogoc/Glogovac on 22 August 2001 amidst allegations that one family member had collaborated with the previous Serbian regime. Such allegations, which have also been made against members of minority communities, heighten tensions and can easily trigger further violence. While there has been an improvement in the security situation, as measured by reference to the number of fatalities, lesser threats and incidents of intimidation against minorities remain far too common. Whilst provoking insecurity of a degree less obvious and measurable than the impact of recurrent murders, the cumulative effect of suffering daily harassment is extremely debilitating. For many members of minorities who live, or who are forced to live, in agricultural communities, the theft of cattle, often their only livelihood, remains a key, and frequently unresolved, concern. In areas that have been the arena of protracted tensions the negative impact of intolerance is clear. For example, the daily harassment of minorities (including Kosovo Albanians) in north Mitrovica/Mitrovica continues to provoke departures, a key sign that the situation is far from being satisfactory even when open street violence has been reigned in. "Low level" intimidation has become such a feature of everyday life for many communities that it is common for minorities to tell OSCE and UNHCR that they no longer report such incidents to the police because, in their view, little has been done to address past incidents.
3. Despite these many caveats, a general improvement in the security situation is obvious. The reasons for this improvement however, and by extension the probability of it being sustained, are difficult to identify. We do attempt to suggest below some possible positive contributing factors but we remain conscious of the fact that previous spells of calm have proven to be short-lived and easily disrupted by a recurrence in violence. We are therefore hesitant to conclude that our findings during this reporting period, vis-à-vis the security situation, are necessarily indicative of a substantial and lasting change for the better.
4. Security incidents occurring during the month of August, after we had already begun to review and compile the inputs from our respective field offices, make for grim reading and tend to reinforce our rather pessimistic overview of the continuing volatility of the security situation. During August alone the following non exhaustive series of incidents affecting minority communities were reported to UNMIK Police and/or KFOR: On 3 August, there was a reported kidnapping of a Kosovo Serb man by Kosovo Albanians in the Kamenice/Kamenica area. On the same date, a Bosniak house in Decan/Decani was shot at and stoned. On 5 August, a football match between KFOR and a Kosovo Serb team had to be abandoned when approximately 100 Kosovo Albanians assembled in protest. On 6 August, a Kosovo Albanian man assaulted a Kosovo Serb child and slashed the tyre

of a Kosovo Serb owned vehicle in Gjilan/Gnjilane. Also on 6 August, a Serbian registered truck was shot at close to Podujeve/Podujevo. And again on the same day a Kosovo Serb owned home in Prizren was set alight and suffered minor damage. On 7 August, unknown persons ambushed and fired at four vehicles driven by Kosovo Serbs close to Podujeve/Podujevo. A Kosovo Serb youth sustained serious stomach and leg injuries in this attack. In what appeared to be retaliatory moves a number of Kosovo Albanians transiting Kosovo Serb areas were violently attacked shortly after news of this incident became public. On the same day four persons sustained minor injuries after unknown persons threw a hand grenade at a Roma home in Lipjan/Lipljan. A second unexploded grenade was found in the yard when KFOR conducted a follow up search. On 9 August, a Kosovo Serb in Strpce/Shterpe reported that he had been intimidated by unknown persons after finding the letters "UCK" laid out in hay on his grazing grounds. On 11 August, unknown persons fired several shots from an AK-47 rifle at a Kosovo Serb house close to Lipjan/Lipljan and then fled the scene. On 14 August, unknown persons threw a hand grenade into the front yard of a Kosovo Serb home close to Gjilan/Gnjilane causing minor damages. On 16 August, a Kosovo Albanian man burnt the cornfield of a Kosovo Serb close to Viti/Vitina. On 22 August, an unoccupied Kosovo Serb home close to Gjilan/Gnjilane was set alight and in a separate incident, an explosion completely destroyed a Kosovo Serb house in Ferizaj/Urosevac. On 25 August, two Kosovo Albanian men were arrested and charged with having set alight a Kosovo Croat owned home in Janjeve/Janjevo. On 28 August, an Askaelia woman and her child were injured after a hand grenade explosion in their house in Lipjan/Lipljan municipality. Three Kosovo Albanian men were later arrested and held for questioning in connection with this incident. On 29 August, the body of a Kosovo Serb riddled with bullets was discovered in Strpce/Shterpe. Family members had reported his disappearance the previous day. Incidents reported in September, including the savage murder of a 78 year old Kosovo Serb woman in Ferizaj/Urosevac and the killing of a Kosovo Serb farmer in Viti/Vitina, do not give much cause for optimism.

5. Despite these constant fluctuations in the occurrence of serious incidents, a general improvement can be discerned and a number of factors can be identified as having had a positive impact in this regard. A key factor seems to be the growing **effectiveness of the police and judicial system**. We have previously stressed the vital role of the police and judiciary to assure the general public of their ability to identify, apprehend, fairly prosecute and convict the perpetrators of crimes, thereby sending a clear message to all communities that criminal behaviour will not be tolerated and there will be no impunity for the perpetrators. The reporting period has seen a number of leading members of the Kosovo Protection Corps (KPC/TMK) subject to disciplinary action of one sort or another, including suspension and even dismissal. The influence of the KPC in Kosovo is noteworthy and in this and in previous reporting periods KPC members have been mentioned in connection with acts of intimidation and harassment, perpetrated against minority and majority population alike. It is encouraging to note that decisive action has finally been taken to address the serious problems of abuse of power that are clearly in evidence on the part of certain elements of the KPC. Such action is in the interests of the general public and also of the KPC itself. The institution as a whole should not be judged by the actions of a few individual members. Towards the end of the reporting period the KPC initiated further moves to broaden its multi-ethnic base and thereby gradually move away from the overriding perception that it is an exclusively Kosovo Albanian body, whose only interest is to serve Kosovo Albanians.
6. Long term improvements in the overall security situation can only be guaranteed through effective policing and a functional judicial system. The military can play only a limited role, as they are not, nor should they be, mandated to carry out criminal investigations and prosecutions. It has therefore been very welcome to see that the police are increasingly operational in almost all areas of Kosovo. One glaring exception has been north Mitrovice/Mitrovica and the northern municipalities, where a lack of co-operation from the local communities, punctuated by repeated outbreaks of violent protest, has seriously impinged on the ability of the authorities to carry out their responsibilities. Towards the end of this reporting period there were encouraging signs that UNMIK efforts to establish confidence in the northern municipalities, including an improved operational environment

for the police, were starting to bear fruit. Elsewhere in Kosovo there is an increased presence of the police, both in stations and on patrols, and as a result investigative capacity has improved. In many regions the police have set up special community units to build up relationships with minority communities. The incremental development of a functioning police force appears to have led to a reduction in crimes, particularly against minorities.

7. Another noteworthy element is the growing capacity of the **Kosovo Police Service (KPS)**, as an integral part of the policing network. In the future the KPS will continue to grow and assume responsibilities in correlation with the gradual phasing out of international police. While praising the growing professionalism of the KPS a number of problems continue to impede full development of an independent and impartial local police force. One problem repeatedly raised has been the unacceptably high number of assaults committed by Kosovo citizens against on duty KPS officers. On Tuesday, 11 September, a KPS officer was killed in the line of duty and a second was seriously injured when they intervened to try to prevent the theft of cattle close to Tomane/Tomance in Gjilan/Gnjilane region. Attacks of this sort against the KPS undermine stability and show flagrant disregard for the rule of law. In their interaction with minority communities, whilst many problems remain, it now appears that minorities generally accept KPS officers from their own ethnic group. The next vital step is to ensure that KPS officers are able to operate in all areas and with all communities. An ethnically divided KPS will never reach its full potential in serving the people of Kosovo. In an area the size of Kosovo it is neither realistic nor cost effective to deploy personnel purely on the basis of ethnicity. It is an inherent requirement of services such as the police, fire-brigade and ambulance that they be able to serve the needs of all citizens unhindered by prejudices of their own, or of those they aim to assist. At present, many minorities believe that their complaints about the behaviour of KPS officers, especially allegations of discrimination, are not dealt with objectively. An effective and transparent system to deal with complaints of ethnic discrimination by KPS officers would greatly enhance the credibility of KPS as a whole and should be set up without delay.
8. More detailed information about the security concerns of specific minority groups is provided further on in this report under the respective community headings. However, because **Mitrovica/Mitrovica municipality remains a key security concern**, we felt it was important to give it particular attention at the outset of this assessment. The impact of events occurring in Mitrovica/Mitrovica is felt in other communities throughout Kosovo and when violence occurs there, it is frequently a catalyst for violence elsewhere. The lack of progress on long-term solutions to resolve the ethnic division of the town is a constant source of frustration, which foments a continuing cycle of violence. Generally, the security situation in Mitrovica/Mitrovica town stabilised somewhat during this period. There has been no widespread violence against the Kosovo Albanian minority in the north since April 2001. This in itself is an improvement, and comes despite the fact that in April 2001, Kosovo Serbs in the northern part of the town began a month-long protest against the establishment of UNMIK tax collection points, which resulted in a blockade of northern Kosovo and a general increase in tension. That there was no noticeable increase in violence against minorities during this period is perhaps due to the fact that Kosovo Serb inhabitants gave ever decreasing support to the organisers of the blockade. For the duration of the protest UNMIK Police activities in the north were severely curtailed, and at times totally suspended, leading to a growing impression of their lack of authority. Despite two years of operational engagement, with respect to north Mitrovica/Mitrovica UNMIK Police and KFOR suffer the reputation of compromising with criminals, including those who harass minorities, rather than enforcing the law. The frequency with which the arrest of a Kosovo Serb in the north, is followed by public agitation culminating in the prompt release of suspects, often from the ranks of the so-called 'bridge watchers', has contributed to a perception that the police are influenced more by unacceptable pressures, than by their obligation to uphold the rule of law. Nevertheless, by the end of July 2001, UNMIK Police traffic units had started to conduct daily vehicle checks in north Mitrovica/Mitrovica with the aim of reintroducing normal and public traffic policing. There are some recent signs that the threats made by the bridge watchers against the police have reduced in number and intensity and the arrest in early September of a Kosovo Serb

charges of assaulting a KFOR soldier, on duty on the main bridge almost a month previously, served to underline the fact that illegal behaviour will not be tolerated indefinitely.

9. The idea of the **Confidence Area** grew from numerous discussions and proposals during the course of early 2000, to which many organisations made suggestions and contributions. The objective of UNMIK and KFOR was to develop a response which would improve the overall security environment in Mitrovica/Mitrovica in the short term and would in itself prove a positive factor for longer term sustainable improvement. The initial idea was to create an area through the centre of town, to which access is controlled by KFOR. The area is viewed by KFOR as a buffer zone between communities. This should not be confused with the concept of a 'no-man's land', as mixed communities do live within the area. The international community has attempted to reinforce the security related efforts of the police and KFOR by promoting and supporting the area, through long term economic development plans and fostering the concept of improved freedom of movement. Some localised improvements in freedom of movement can be detected where the Confidence Area has been successfully implemented, but these tend to remain limited and subject to the vagaries of the security situation, which continues to fluctuate. Any benefits to be derived from longer term economic developments will take time to materialise and under current conditions the prolonged division of the town and recurrent violent conflict continues to be a major deterrent to serious investment. The Confidence Area has yet to be fully consolidated as a continuous geographic band through the centre of town. Kosovo Serbs do not use the area as a means to access the south, where their security would be seriously at risk irrespective of the existence of the Area. In the north, the Area has been used to secure minority or mixed areas, and to control the access and activities of self proclaimed Kosovo Serb security structures. In essence, KFOR maintains very tight limitations thereby curtailing any illusions on the part of either Kosovo Serb or Kosovo Albanian elements to gain strategic control of the sensitive buffer zone between the two communities. The presence of large numbers of patrolling soldiers has been effectively in bringing relative calm to the area even allowing for some limited returns to these mixed areas. Sporadic outbreaks of violence and anonymous attacks against all sides do however still occur.

Freedom of movement.

10. The inability to exercise their right of freedom of movement continues to be one of the most visible indicators of the vulnerability of minority communities. Freedom of movement restrictions is a direct result of insecurity. Severe curtailments on the freedom of movement of some communities have become so entrenched over time as to become almost invisible. The security measure themselves are of course highly visible, the point is rather that people simply become numbed to the inherent anomaly. Many individuals and community groups have internalised the consequences of limited freedom of movement to such a degree that it is considered natural not to move beyond certain unseen but clearly defined outposts. That this has become habitual practice does not make it normal or the causes of it in any way acceptable. The adverse consequences of such extreme adaptation are beyond doubt. For example, a UNHCR returnee monitoring exercise, covering a number of Roma, Ashkaelia and Egyptian returnees revealed that while they consider security within their immediate neighbourhoods to be acceptable, few, if any, had ventured beyond that limited area. As a consequence their ability to find employment and access a wide range of essential services remained extremely limited. The fact that many seemed to view this as a necessary price to pay for preserving their physical security is a matter of utmost concern.
11. Minority populations in many locations, most notably Kosovo Serbs, rely on the provision of security escorts in order to travel outside the immediate confines of their places of residence. Exploratory moves towards independent travel have met with mixed success. For example while there is anecdotal information to the effect that Ashkaelia and Egyptians enjoy increased freedom of movement, they along with Roma are still frequently intimidated by racist slurs and intimation when outside areas habitually

inhabited by their own communities. This is particularly the case for those whose physical appearance characterises them within the generally held stereotype of their ethnicity. There is also anecdotal information emerging that indicates some increased willingness on the part of Kosovo Serbs to undertake unescorted travel. However, such tentative steps can easily suffer setbacks. In a recent incident Kosovo Serbs from Lipjan/Lipljan were shot at whilst travelling unescorted in the Podujeve/Podujevo area, close to the Kosovo/Serbia proper boundary line. The fact that some minorities may show an increased willingness to travel without escort does not necessarily mean that they are convinced of improvements in the security situation. In some cases they simply take greater risks out of frustration with their prolonged confinement, or out of urgent necessity to access services despite the possible danger involved.

12. The reporting period has seen some important developments vis-a-vis the provision of special transport arrangements. Escorted bus services, previously operated under the auspices of UNHCR, are managed by UNMIK, JIAS Department of Transport and Infrastructure, as of 1 July 2001. Operational aspects remain unchanged and the buses still run under armed escort provided by KFOR. It is hoped however, that the transition to UNMIK management will prove to be the first step towards the longer-term objective of mainstreaming minority transport services in the general Kosovo network. Some encouragement can be drawn from the fact that a limited number of additional services have been instituted on routes beyond those originally developed by UNHCR. Some even operate with the involvement of local staff and the resources of local companies. The crucial train service linking areas in central Kosovo with Zvecan continues to be a lifeline for many isolated Kosovo Serbs. Increased co-ordination between bus and train routes has improved the ability of many communities to take full advantage of the combined benefits of these transport services. The recent inclusion of Lipjan/Lipljan in the rail network is another small boost to alleviate the sense of isolation of minority communities. It has to be noted, however, that all transport mechanisms availed of by minority communities continued to be subject to attacks of varying degrees of seriousness, ranging from threatening gestures, to stoning and even shooting. Kosovo Albanians transiting areas predominantly inhabited by Kosovo Serbs have been subjected to the same violent treatment on a number of occasions.

Population figures, return and ongoing displacement.

13. It is very important to recognise the link between population figures, return and ongoing displacement. The importance of constantly highlighting this linkage can not be overstated, if information relating to population numbers and movements is not to be distorted. The reporting period has seen some positive progress on the development of **conditions conducive to minority return**, most notably the unconditional endorsement of the basic humanitarian aspects of return by Kosovo Albanian political leaders. There is however, an unfortunate and worrying tendency in some quarters to focus on the mechanics of return rather than on the longer-term prospects for reintegration in conditions of safety and dignity. Return can only be fully understood as a process and not purely as a logistical operation, concerned only with the physical movement of persons from one location to another. An additional worry has been the tendency to politicise the issue of return to the detriment of the returnees. Displacement does not occur in a vacuum. It is the regrettable result of conflict compounded by the toleration, or worse still the glorification of unreasonable and unacceptable behaviour. The vast majority of refugees and IDPs are the victims, not the perpetrators, of repression and their right to return to their homes can not be held ransom to the fact that members of their ethnic group perpetuated human rights violations in the past. The concept of collective responsibility is neither appropriate nor acceptable in the ongoing debate about return. That this most human of desires - to return home - is frequently manipulated for political ends is no less a tragedy than the original displacement. Return is best viewed as a human right, and as such comprised in equal measure of both entitlements and obligations. Returnees and receiving communities alike must display sufficient maturity to assume their inherent roles in the complex process of return. The returnee, if genuine and sincere in the intention to contribute to the future development of Kosovo, must be possessed of sufficient open-mindedness to embrace the new realities of the province.

Receiving communities in turn must recognise that the right of the displaced to return is undeniable and non-negotiable. It cannot be subject to any demands or preconditions. The role of the receiving community is characterised by the acceptance and support of return within the general framework of democracy and development of civic society. Activities intended to destabilise and discourage return are irresponsible and will in the long run work to the detriment of Kosovo as a whole.

14. Achievements to date are illustrated, not by the number of returns that have actually taken place but rather, by the ongoing work to foster conditions conducive to return. If judged by reference to numbers alone, progress has been minimal with very few examples of individual and/or group return worthy of mention. We have noted that levels of spontaneous return of Kosovo Serbs are greatly reduced from those recorded in various locations around Kosovo last year. It is possible that despite general improvements in the security situation this factor in and of itself will not be a catalyst for return whilst there are still so many other limiting factors affecting minority life, such as, limited mobility and employment, lack of access to university education and others services. On the other hand, progress has undeniably been achieved in the realm of developing workable fora to pursue the ultimate objective of increasing the number of returnees by offering them realistic conditions under which to return. The central goal of UNHCR continues to be that of defending the right of refugees and IDPs to exercise free choice with respect to return. It is incumbent on UNHCR, as the international agency mandated to take the lead on the return of refugees and IDPs to their places of origin within Kosovo, to focus on the element of **informed choice**. The success of return should not be gauged solely by numbers but rather through ensuring the existence of choice. Among all ethnic groups there will be, to a greater or lesser extent, a proportion that will simply never return to Kosovo. The trauma of being uprooted under violent circumstances, will for many permanently sever the link to their places of origin. Faced with the potential of violence in Kosovo, the right of minority populations to re-establish their lives elsewhere is as valid a choice as return and should be respected as such.
15. Over the past six months the focus of discussions on minority return has increasingly shifted towards a recognition of the fact that the establishment of conditions favouring return is the most realistic way to ensure that refugees and IDPs can exercise a reasonable choice. Intensive efforts under the auspices of fora such as the Joint Committee on the Return of Kosovo Serbs, the Platform for Joint Action for Roma, Ashkaelia and Egyptian communities and a number of JIAS consultative sessions focusing attention on Muslim Slav, Gorani, Bosniak and Turkish communities, have illustrated the linkage between, conditions faced by those communities that remain in Kosovo and the return prospects of those that have been displaced. Efforts to improve the security and quality of life of those who remain are a necessary precursor to return. Only through tireless work to stabilise and improve overall conditions, thereby offering realistic prospects for return, will it follow naturally that potential returnees can effectively exercise their rights. Activities in favour of return have been designed in such a way as to permit simultaneous and inter-linked efforts i.e. those displaced have a role to play in the improvement of conditions and do not necessarily have to wait passively until conditions for return are perceived to be optimal. Numerous go-and-see and go-and-inform visits designed to facilitate the flow of credible information have been undertaken over the course of the past six months. Some of these visits have progressed into a concrete plan for return, as has been the case for Kosovo Serbs returning to the Osojane Valley area of Istog/Istok and Roma, Ashkaelia and Egyptian families returning in small numbers to numerous locations throughout Kosovo. Other initiatives have not necessarily resulted in any actual return, nor are they expected to, in the short to medium term. They do, however, serve the important purpose of enabling refugees and IDPs to make informed decisions about their own return prospects based on direct contacts with their places of origin.
16. We have attempted in this report to update the **population estimates** offered in previous reports. It is important to highlight that the numbers do not represent definitive statistics with respect to any of the communities living in Kosovo. As we have stated in previous reports, the process of gathering fully reliable information on population statistics is

beyond the capabilities and mandate of either organisation. Our aim is more modest and strives to contextualise the complexity of population assessments and movements affecting Kosovo's minority populations. It would lessen the usefulness of the report to talk of dwindling minority populations in certain locations with reference to return and displacement, without, where possible, offering relevant numerical data to expand upon the issues under discussion.

17. The six-month period covered by this report was witness to a **sizeable influx of ethnic Albanian refugees from neighbouring FYROM**. In reaction to the fluctuating security conditions in FYROM some 9,000 persons had already entered Kosovo in search of protection as of April 2001. From May onwards the number of persons fleeing FYROM sharply increased, reaching a peak of just over 81,000 persons at the height of the crisis. This number has subsequently begun to drop, as many people return to FYROM, their confidence bolstered by the extended cease-fire which preceded the arrival, in late August, of a NATO contingent tasked with the implementation of a weapons collection programme - Operation Essential Harvest. The number of FYROM citizens/residents remaining in Kosovo is estimated to have dropped below 30,000 persons at the time of writing of this report and it continues to fall steadily. However, given the volatile situation in FYROM, further violence could trigger a reversal of this trend and a renewed influx of refugees cannot be excluded. From the outset of the crisis UNHCR was careful to highlight the potential impact on minority communities and, in co-ordination with other institutions, to plan accordingly. Two possible scenarios were envisaged; firstly the prospect of displacement of minority communities from FYROM into Kosovo, most likely RAE, whose arrival in existing RAE communities within Kosovo could provoke instability and stretch already scarce resources to the limit; and secondly the potential for increased pressure on minority communities within Kosovo caused by the arrival of large numbers of ethnic Albanians in areas where their presence represented a dramatic shift in local demographics. To minimise the possibility of any adverse impact UNHCR and other agencies factored these concerns into their contingency planning and emergency response capacity. Increased monitoring was instituted in minority communities to serve as an early warning system of any noticeable increase in tensions. At the end of the reporting period with the number of FYROM citizens sheltered in Kosovo continuing to drop it can be reported that their temporary presence did not provoke any visible increase in violence against minority communities. Apart from some minor tensions due to competition over accommodation resources (e.g. temporary appropriation of minority owned property by the new arrivals) no significant problems were reported.
18. A second major population movement relevant to the interests of minority communities commenced during the summer with the **return of ethnic Albanian IDPs** to their homes in southern Serbia. Tensions in southern Serbia over the course of the past year had provoked a sizeable outflow of ethnic Albanians, many of whom sought temporary refuge in Kosovo. These were estimated to number just under 20,000 persons as of early June 2001. The smooth relaxation of the Ground Safety Zone which resulted in the return of Yugoslav forces to the 5 km stretch along the boundary line from which they had previously been excluded, paved the way for the initiation of confidence building measures and the possibility of return. Between those who have opted to return on their own initiative and those who have sought UNHCR assistance to do so, it is estimated that the current IDP population in Kosovo, originating from southern Serbia, has dropped by half. This has eased the pressure on a number of minority communities living in close proximity to concentrations of IDPs. In the longer term, it may even open up return possibilities for displaced minorities as the departing Albanian IDPs vacate minority properties that they had illegally occupied during their stay in Kosovo.

Access to vital services.

19. Previous reports have focused separately, and to varying degrees of detail, on topics such as health care, education, public utilities and an array of other issues. Due to the

increased availability of information produced directly by the relevant sources¹, we do not intend to present a detailed analysis of the continued problems faced in accessing a variety of essential life sustaining services. The report however would be incomplete if these topics were not touched upon. We have therefore opted to illustrate the problems by reference to examples, which are included in the ethnic specific sections that follow.

20. By way of general observation, it has to be said that there has been a dramatic improvement, vis-a-vis recognition by service providers of the challenges they face in meeting their obligations to develop inclusive systems, capable of serving the needs of all sectors of society. The approach of earlier periods, which was often characterised by key actors simply ignoring the needs of minority communities, and assuming that the complexity of the situation justified their inaction, is thankfully rare these days. On the contrary it is increasingly common to see JIAS Departments take a more convincing lead in the search for workable solutions to minority concerns. The Public Utilities Department (PUD) has undertaken a number of visits to minority communities to discuss with them their obligation to pay for services provided. PUD has demonstrated a willingness to work with minority communities in the search for mutually acceptable solutions, satisfying the obligations of the utility companies to attain economic viability, while at the same time taking into account the pressing socio-economic conditions faced by many minority communities as a direct result of the conditions imposed by the present situation. A willingness to negotiate phased payment arrangements for outstanding electricity and telephone arrears has been discussed with communities in a number of locations, as part of broader efforts to encourage minority customers and service providers to develop a more positive and mutually respectful relationship; the service provider recognising the obligation to deliver fair and equitable services and the consumers recognising their obligation in return to pay for such services. Many of these initiatives are still in the very early stages and have not yet been fully institutionalised. In addition, underlying suspicions and mistrust hampers their potential impact. That wide-reaching and longer term solutions continue to be elusive can no longer be written off on the basis of deliberate ignorance, but is rather indicative of the complex realities of service provision within what is essentially a divided society. The challenge now is for UNMIK and others to rise to the situation and ensure that the active search for solutions continues and is not brushed to one side on the basis that the situation precludes any further pro-active efforts. A status quo that relegates some citizen to second class status can never be accepted.
21. As a matter of policy and principle, UNMIK has resisted demands to institute totally separate services for the different communities that reside in Kosovo. To give in to such unreasonable demands, often generated by the communities themselves, would be to allow intolerance and prejudice to rule the day. By the same measure that UNMIK is obligated to ensure provision of services, those who benefit are obliged to co-operate in the reasonable delivery of such services. In addition to the principles involved, it is a simple matter of practicality and economic efficacy that Kosovo is too small an entity to warrant separate systems geared towards each of its constituent populations. The long-term objective continues to be that of integrated services based on equity and mutual respect. Current realities however, do necessitate separate implementation and service delivery mechanisms to ensure that all sectors of society are adequately covered. This situation is likely to continue in the absence of dramatic improvements in the overall security situation allowing for greater progress on the gradual integration and harmonisation of services.
22. Despite justification due to the pressing necessity of meeting basic human needs, the continued existence of separate service provision particularly in the areas of health and education, does not auger well for increased inter-ethnic acceptance in the future. On the contrary it perpetuates racist stereotypes and inadvertently permits the demonisation of

¹ As for example a May 2001 study by the World Health Organisation (WHO) on access to health care in Kosovo's minority areas and a number of other similar reviews produced by the respective organisations assuming oversight responsibilities for the provision of essential services. We do not consider it constructive to plagiarise such materials and repeat information here solely to bolster the length and contents of this report. We have therefore opted to refer to other source materials as relevant and limit ourselves to those areas where we believe that the UNHCR/OSCE experience is worthy of mention as constituting a valid contribution to the broader debate on minority concerns.

various communities, as each ethnic group holds fast to the belief that the root of the problem lies not with themselves but with others. For example, there is a perception of some in the Kosovo Albanian community that existing services are adequate but that Kosovo Serbs unreasonably refuse to avail of them, or, more radically, that Kosovo Serbs are not deserving of even the most basic of services. Similarly, some in the Kosovo Serb community (and to a much lesser degree, other minority communities) assert that they would never be safe accepting services provided by Kosovo Albanians and cling to the belief that services should and will be provided through direct intervention of the authorities in Belgrade. Leaving aside the question of freedom of movement, which is an undeniable impediment to safe access to many services under current conditions, it is clear that attitude problems and misperceptions also play a major role. While members of each community maintain their own prejudices and there is a notable dearth of individual or community initiative to overcome this and work on mutually beneficial solutions, the development of robust public services in Kosovo will continue to be unnecessarily hindered and funds invested will continually fail to realise their full potential. The international community stands willing and able to support Kosovo in the improvement of services and infrastructure only with the full co-operation of all sectors of society. This is a crucial aspect to successful long-term development, but one that continues to be sadly lacking in Kosovo.

23. The additional costs and greater efforts required to provide equitable services to minority beneficiaries are beyond doubt. There is a constant risk that, without sufficient and sustained vigilance, minority needs will simply be overlooked as service providers struggle to institute and maintain systems under difficult circumstances. In such a scenario the resulting risk of discrimination against minority communities is high. This is perhaps best illustrated by recent developments with minority access to social welfare services, specifically the financial benefits available under the **Social Assistance Scheme (SAS)**. In some areas of Kosovo minority access to social services, including the SAS, has improved due to, the combined impact of an increase in resources and specialised staff (including more minority staff) and, the efforts of a number of supporting NGOs. Despite this, full access to services is still not possible for many vulnerable minorities. While the relevant JIAS departments (Health and Social Welfare and Labour and Employment) have taken steps to improve staffing levels and have revised some of the more difficult policy and paperwork requirements to minimise barriers discriminatory towards minority applicants, physical access to the Centres for Social Work (CSW) who implement the SAS, remains difficult. Serious problems have emerged of late as existing SAS recipients are now expected to re-apply in order to maintain their current benefits. For Category I beneficiaries reapplication is required every 6 months and for Category II beneficiaries, every 3 months. Due to lack of capacity the CSW had previously overlooked this requirement but it is now being systematically enforced. In the case of minority beneficiaries it has become obvious that without the heavy involvement of international agencies, they are simply unable to ensure access to complete the re-application procedures. Many of the international NGOs who were pivotal in supporting the CSW at the outset, have since scaled back their involvement and indeed their presence in Kosovo. The net result is that vulnerable minority beneficiaries are being de-registered from the SAS and their benefits are being discontinued while they have very limited or no ability to re-apply or to register for alternative assistance such as WFP food assistance. UNHCR, OSCE and other agencies continue to monitor this situation and intervene to find solutions for the most acute individual cases. The bigger problem however will not be resolved in this piecemeal manner. To put it bluntly, minority beneficiaries are being punished by the system. Their inability to re-apply, frequently due to security problems that impede their freedom of movement, results in the discontinuation of benefits, sometimes without any prior notification. The institution itself meanwhile, despite the clear obligation to provide equitable services, has failed to take adequate action to meet the specific needs of minority applicants and beneficiaries, preferring instead to shift the responsibility to those least able to overcome the discrimination, the beneficiaries themselves.

Education.

24. The education sector as a whole faces a myriad of problems resulting from the combined impact of; under-trained and poorly paid personnel using outmoded teaching methods and working in inadequate facilities, adversely affected both by war damage and general deterioration during the prolonged period of under-investment and poor maintenance that preceded the conflict. The challenges in bringing the education system up to speed are numerous but solutions are required quickly, in order to respond to the pressing needs of students from all ethnic backgrounds. Minority students frequently face additional hurdles. The access of minorities to education services in an environment free of recrimination and intimidation remains a major concern. Certain minority children simply remain out of the education system at all levels, whilst others can only access services under difficult conditions, relying on security escorts to reach their class rooms and faced with the consequences of shortages of teachers and textbooks once they get there. The JIAS Department of Education and Sciences (DES) continues to work on the establishment of a unified curriculum for primary education, including clarification of the languages of instruction and appropriate inclusion of minority culture and history. A comprehensive discussion paper on the new Kosovo Curriculum Framework is in the advanced stages of preparation and should be released shortly to facilitate public debate. Whilst key issues remain under discussion the quality of education offered to those children currently in the system suffers significantly. There have however, been a number of positive initiatives, by both UNMIK and NGOs, since the last reporting period, including the implementation of catch-up classes and the use of secure escorts, both of which have improved the access of minority students in particular areas. The greater challenge continues to be the establishment of sustainable mechanisms, which ensure the access and retention of minority children in the school system and creates an educational system, which fully reflects the multi-ethnicity of Kosovo.
25. On 5 September, the DES presented its plans for the future of education in Kosovo. The package of reforms, outlined in two draft regulations, is expected to be signed into law before the elections in November. The reforms will begin the process of bringing Kosovo's education system into line with European standards. The DES has reiterated that there is no intention to maintain a parallel education system, but has already stated that, as the establishment of integrated multi-ethnic classrooms is unrealistic at this point in time, a special strategy will be applied to ensure that the right of education is enjoyed by all. Full details of this strategy have yet to be worked out.
26. **Roma, Ashkaelia, and Egyptian (RAE) students** throughout Kosovo continue to be particularly affected by problems which prevent their attendance in school. Unlike Kosovo Serb students who are educated in an environment perceived to be their own, RAE students are more likely to be pupils of mixed schools. Since the publication of the last Assessment, there have been reports of intimidation of Roma children travelling to and from school in communities around Prizren, Mitrovice/Mitrovica, Gjilan/Gnjilane, and Prishtine/Pristina. As noted above, the efforts of KFOR and UNMIK have resulted in increased security in some areas, but the perception of insecurity based on real and/or perceived threat continues to negatively impact the attendance of Roma children in particular. As a result, some parents refuse to send their children to school and assert that they cannot do so until there has been a visible improvement in the security situation. In some acute instances parents have unreasonably refused support that would ease their childrens' access to school and in doing so have been a contributing factor to the denial of the basic right to an education. As far as UNHCR and OSCE are aware, applicable law providing sanctions for parents who refuse to send their children to school has not been invoked in such situations. Given the complexities of the current situation it could arguably be counter-productive to use such legislation against parents whose motivations may include genuine and as yet unresolved security concerns. Poverty constitutes an additional obstacle to the attendance of RAE children in school. The current situation has plunged many RAE families close to destitution, having lost their worldly possessions during the conflict and its immediate aftermath and still two years later denied a reasonable chance to regain their losses through employment and full

participation in society. There is significant pressure on RAE children to begin to work at a young age both within the home and outside, and this results in very high drop out rates, often noticeably more so for female students who face social pressures to marry at an early age. A recent assessment completed by the OSCE showed that the girls in RAE families are nearly always the first to leave primary school because of economic or familial problems. They are the least likely to participate in catch-up classes, and the least likely to return to school after having left for a period of time. This type of gender discrimination further isolates RAE women as it leaves them unprepared to compete professionally. It highlights the need for special measures to be taken to encourage the retention of girls in the school system.

27. While the **Bosniak** community have not highlighted undue concerns related to security during this reporting period, they identify issues such as language of instruction and lack of adequately trained Bosniak teachers as problems which, they say, prevent their children from attending school. In Zlopek and the surrounding villages of Rausic, Llozhan, and Dubocak in Peje/Pec region, for example, the low number of Bosniak students has made it increasingly difficult to designate Bosnian language classrooms as the children progress to higher grades. The current policy, which requires a minimum of 15 Bosniak children in order to justify a separate classroom, makes it difficult to accommodate the needs of Bosniak children in the smaller communities. Children in these areas often switch to Albanian speaking primary schools as they progress. There are some areas where the educational system has been successful in including the Bosniak community. In Prizren, for example, 10 of the 12 primary schools offer Bosnian classes. And at the secondary level, all five schools offer classes in Bosnian, and a bus service will begin in September, which will permit Bosniak students from rural communities to attend secondary school. As in other communities, there are ongoing concerns with finding sufficiently qualified teachers to teach classes in Bosnian. In an effort to respond to this, an NGO in Prizren has stepped in to provide pre-service and in-service training to teachers, through the implementation of a programme which includes the training of minority teachers.
28. Security and freedom of movement concerns still result in restricted access to education for **Kosovo Serbs**, particularly those living in isolated areas. A number of Kosovo Serb schools also complain of a shortage of basic school equipment and teaching materials. The recurring problem of inadequate classroom facilities is being addressed gradually, through the combined efforts of the DES and various international organisations and NGOs (in Strpce/Shterpce for example KFOR along with Polish NGOs and IOM assisted in the repair of a school for Serb students). However, the provision of assistance can be problematic. In Lipljan/Lipljan, for example, provisions for the education of Kosovo Serb children have been obstructed by the Kosovo Serb leadership due to a dispute over the proposed location of the school. Schools within the Kosovo Serb community continue to follow the curriculum taught in Serbia proper. Efforts by DES to include Kosovo Serbs in discussions on the development of a unified curriculum have been hampered by the refusal of some Kosovo Serb representatives to participate. A similar reluctance on the part of Kosovo Serbs to participate in DES initiatives was apparent during a recent 3-week training course for Kosovo Serb primary school teachers, where only 10% of the invitees attended the 3-week course. At a local level, however, there are examples of multi-ethnic co-operation, and in Kamenice/Kamenica, for example, Kosovo Serb and Kosovo Albanian children attend school in the same school compound (albeit in separate buildings and shifts). However, as a general observation, the Kosovo Serb community seems reluctant to participate in any move to create a unified education structure, and DES's ongoing curriculum review programme is progressing without any substantive Kosovo Serb input.

Employment

29. The improvement in the security situation for some minorities allows greater attention to be focused on public employment, a key problem area where there has been little positive progress. While security and freedom of movement concerns continue to limit the employment possibilities of many minority communities, it can no longer be stated that

security concerns constitute *the sole reason* for low employment rates of certain minorities. This is manifestly no longer the case, for all locations and all minority groups, so the full explanation must lie elsewhere. As stated in previous assessments, there are no comprehensive figures for unemployment in Kosovo but anecdotal evidence continues to suggest that unemployment amongst minorities remains exceptionally high. In Ferizaj/Urosevac municipality, minority representatives estimate unemployment to be nearly 100%, while in Kamenice/Kamanica it remains above 80%. The reasons why minority unemployment appears to outstrip unemployment in the majority community is due to a combination of factors, including, continued security fears and the lack of freedom of movement as previously mentioned, compounded in turn by high levels of discrimination. Many RAE face the additional barrier of the lack of formal education and qualifications. As minority communities gradually appreciate that the degree of security threat against them has diminished and/or can be overcome with the implementation of special support measures, they have been disappointed to find that employment prospects have not correspondingly improved. Increasingly the lack of employment becomes a major factor of instability within their communities threatening their viability through the combined effect of deterring return and prompting further departures.

30. There are regrettable few indications of proactive and effective action to promote minority employment, either in the private or the public sector. In the public sector, both UNMIK central authorities and the local municipalities continue to employ some members of minority groups and this is often the only source of income to minority communities. However, UNMIK Municipal Administrators, often find themselves imposing the employment of minorities upon municipalities, in the face of opposition from the municipal assemblies. Under such circumstances the sustainability of employment is questionable. In the private sector, the influence of UNMIK is obviously less strongly felt and although, some efforts have been made to encourage employers to engage minority staff, as occurred in the Bentakos quarry in Viti/Vitina, such efforts are extremely limited in their overall impact.
31. Discrimination remains prevalent, even in the public sector. In Prizren, for example, of 40 municipal civil servants made redundant in February and March this year, 10 were Muslim Slavs, and 14 were Turks, figures disproportionate to their overall representation within the population. Despite this, most of the affected persons have not been able to take any effective action to address the discrimination, given the lack of effective remedies. The lack of effective remedies is discussed in more detail below (section on non-discrimination and effective remedies).

Property

32. **Property sales:** The previous Minority Assessment outlined the issue of so called "strategic sales", referring to the phenomenon whereby residential and/or commercial property in minority communities is systematically purchased in some locations, apparently with a view to undermining the viability of residual populations by provoking the further destabilisation and weakening of communities and, ultimately their departure. Debate continues over the degree to which such a strategy can be proven to exist continues and the classification of such a tactic as either the cause or the effect of displacement. What is beyond debate however, is that certain minority communities in very vulnerable situations perceive the ongoing sale of properties within their communities as a direct and imminent threat to their survival. Their demands for an effective remedy, supported by Kosovo Serb political leaders, have resulted in the introduction of Regulation No. 2001/17 on the Registration of Contracts for the Sale of Real Property in Specific Geographical Areas of Kosovo, effective as of 22 August 2001. The regulation sets out a mechanism whereby property sales in certain designated areas must be registered with the Municipal Administrator. The Municipal Administrator is empowered to deny registration in instances where there is reason to believe, that the sale is carried out under duress, for an unrealistic price, with questionable funding, or made under dubious circumstances, and that the result of the sale is a change in the ethnic balance of the designated area. The regulation aims to offer effective protection to vulnerable communities whilst at the same time respecting the individual right to sell. Both UNHCR

and OSCE have expressed concerns that the regulation may in fact have the opposite effect and push the issue of such sales underground, having little or no effect on improving the stability of the communities it aims to assist. It is too early to assess with any clarity the real impact as the regulation has yet to be tested in practice. However, it is worrying to note that in the lengthy period during which the regulation was under discussion, confusion and deliberate misinformation spread amongst minority communities and appears to have triggered an increase in pre-emptive sales. Owners apparently feared that they might be prohibited from selling and thus be displaced or trapped in Kosovo with no prospects of selling their only substantial asset and obtaining sufficient funds to re-establish their lives in a different location. Unscrupulous elements within their own and within the majority community played upon these fears to encourage precipitated sales.

33. **Reconstruction:** With the imminent onset of winter this report effectively co-incides with the imminent conclusion of a second full cycle of reconstruction assistance funded by international donors, such as the European Agency for Reconstruction. At the close of the previous reporting period we had noted an encouraging openness on the part of the Department of Reconstruction to adopt a more flexible approach to the reconstruction needs of minority populations in recognition of the fact that their personal circumstances are frequently radically different from those of the majority community. Revised guidelines covering the 2001 assistance cycle took on board a number of recommendations made by UNHCR in the interests of vulnerable minority applicants, including potential returnees. No percentage quota was established for minority beneficiaries. Rather each agency participating in reconstruction activities was encouraged to take a more open and pro-active approach to the identification and inclusion of minority beneficiaries. Selection of beneficiaries remained a municipal responsibility under the auspices of the Municipal Housing Committees, the composition of which contemplated the participation of UNHCR, OSCE and other interested organisations in an observer capacity. We have been unable to obtain full statistical information on the final breakdown of reconstruction beneficiaries during 2001 in order to assess whether or not minorities fared any better during this cycle.² Preliminary, and as yet incomplete, information is disappointing however and indicates only a slight rise in the overall number of minority beneficiaries selected for reconstruction assistance. Of close to 6,500 damaged or destroyed homes selected for allocation of assistance, only 242 (3.72% of the total) are minority owned. Minority owned can include Kosovo Albanians living in a minority situation. These figures compare with the 2000 breakdown indicating that a total of 2% of overall reconstruction assistance was designated to minority owned homes³. In the absence of a systematic review of the treatment afforded minority applicants it is difficult to draw hard and fast conclusions. However, we continue to be concerned about anecdotal information to the effect of discrimination against minority communities in some locations. For example, there have been reports that minority applicants in some places are routinely subject to much more stringent requirements of proof of legal ownership than is the case for Kosovo Albanian applicants. The result is a higher rate of rejection of minority cases. In more extreme cases there have even been reports of intimidation and threats against the staff of agencies who have shown a willingness to take a more proactive approach to providing equitable assistance for minorities.

² In many locations statistical information is still being compiled and will not be completed until such time as the Department of reconstruction have had the opportunity to fully compare the actual delivery of material assistance with the beneficiary lists as authorised by Municipal Housing Committees throughout Kosovo. The quality of information is variable from one municipality to another, a factor that complicates the work of the department in producing a comprehensive overview. Information presented here is drawn from the latest available figures provided by the Department as of 19 September 2001, with the proviso that they are still working to finalise information so figures may still change.

³ The percentage increase is notable but in real terms the actual number of minority owned homes that received reconstruction assistance remains very low.

Access to Political Structures.

34. An important event that will shape the future of Kosovo and have far reaching effect for all citizens, not least of which minorities, is the **election for an Assembly of Kosovo** that will take place on 17 November 2001. The Constitutional Framework for Provisional Self-Government in Kosovo (Constitutional Framework) promulgated by the SRSG on 15 May 2001⁴, provides the foundation for a new era of self-governance and self-administration in Kosovo. Regulation 2001/19 of 13 September on the Executive Branch of the Provisional Institutions of Self Government in Kosovo, includes more detailed provisions on the actual structures of government, including a number of annexes which outline the functions of each of the Offices and Ministries that will assume responsibilities for the day to day functioning of government in the future. A major role for the international community as a whole, and particularly for the OSCE, which is charged with organising the elections, is to advocate for an inclusive electoral process. Therefore, special efforts have been made to encourage the participation of all minorities by offering support for the registration of minority voters and of parties representing minorities⁵.
35. So far, considerable progress has been made in **registering minorities**, both inside and outside Kosovo (IDPs, mostly Kosovo Serbs, living in Serbia and Montenegro or abroad), for the elections. But this registration does not necessarily equate to participation on election day. It has to be remembered that the Kosovo Serb population boycotted the municipal elections, held in October 2000. The OSCE is making special efforts to contact minorities through the **Special Task Group**, responsible for reaching out to minorities both inside and outside Kosovo. During this reporting period, the Special Task Group had numerous meetings with members of minority communities in order to share information on the registration and elections process and more generally the Constitutional Framework and its detailed provisions. The work of the Special Task Group also opens up an opportunity to engage minority communities in a more constructive debate about the implications of their actions.
36. In contrast to the municipal elections which were held at a time when Serbia was itself undergoing a period of great change, the run-up to this election has been characterised by greater and more positive engagement of Yugoslav and/or Serbian leaders who have openly advocated for Kosovo Serb registration, whilst at the same time remaining non-committal on the subject of voting. After a slow start with low registration turnout in Kosovo Serb communities, the turnout pattern changed fundamentally in the fourth week of the registration period as the Yugoslav President addressed a group of IDPs and paid a visit to a Voter Registration Centre in Serbia proper. In a press conference he called upon Kosovo Serbs to participate, saying that he was "deeply convinced that registration is in our greatest state and national interest". The Serbian Prime Minister also endorsed Kosovo Serb registration, saying, "a successful registration is a powerful means of pressure on the international community". Within Kosovo, local Serb leaders registered, often in a very public manner with accompanying media coverage. Bishop Artemije and the nuns of the Gracanica/Ulpijana monastery registered, as did the religious leaders of the Peje/Pec Patriarchate. In response to an upsurge in registration turnout, not only in the Kosovo Serb communities but also the Kosovo Albanian communities, the registration period was prolonged beyond the original 8 September deadline and by the time it was finally closed on 22 September some 70,000 people from communities that chose not to register at last year's Municipal Election, predominantly Kosovo Serbs, had registered in Kosovo and more than 100,000 internally displaced persons had registered in Serbia and Montenegro. This is largely perceived as a positive step, and is a dramatic shift from the

⁴ See UNMIK Regulation 2001/9.

⁵ Unfortunately, there is not a single party in Kosovo that has presented a comprehensive multi-ethnic platform. Most simply confine themselves to the interests of the group making up the bulk of their constituency.

near universal boycott of the registration process in the period leading up to the municipal elections in 2000.

37. The Constitutional Framework contains a number of principles which will directly impact on minority communities, and if fully implemented stand to enhance the protection of minority rights, by ensuring their participation and inclusion in the new structures. Chapter 4 introduces the concept of **Communities** as a mechanism to address the concerns of the various minorities living in Kosovo. Communities are defined as "communities of inhabitants belonging to the same ethnic or religious or linguistic group". Chapter 4 then goes on to outline in detail the rights of Communities and of their members, including such key issues as use of language and symbols and receipt of a range of services in accordance with applicable standards. Chapter 9.1.3 contains a non-exhaustive list of the different Communities in the context of describing the mechanism for assigning the 20 seats (of a total of 120) which shall be reserved for the additional representation of non-Albanian Kosovo Communities. Specifically mentioned are the Kosovo Serb Community, the Roma, Ashkali and Egyptian Communities, the Bosniak Community, the Turkish Community and the Gorani Community.
38. While the Assembly and the numerous bodies to be constituted under it will assume the bulk of legislative and executive powers within the overall framework for provisional self-government in Kosovo, the ultimate guardian of minority rights in Kosovo remains the SRSG, who, according to Chapter 4.6 of the Constitutional Framework, retains the authority to intervene as necessary in the exercise of self-government for the purpose of protecting the rights of communities and their members.
39. The Central Election Commission has certified 26 political entities (political parties, independent candidates, citizen's initiatives and coalitions) effectively granting them access to the ballot. Out of the 26, 19 are not eligible for the "set-aside" seats. The following entities represent those communities that are eligible for the "set-aside" seats: one entity contesting the Kosovo Serb "set-aside" seats (Coalition Return), one entity contesting the Turkish "set-aside" seats (Kosovo Turkish Democratic Party), two entities contesting the Kosovo Bosniak "set-aside" seats (The Bosniak Party of Democratic Action Kosovo and Vatan) and three entities contesting Kosovo Roma, Kosovo Ashkali and Kosovo Egyptian "set-aside" seats (the Ashkali Albanian Democratic Party, the United Roma Party of Kosovo and the New Initiative for a Democratic Kosovo). Four entities were denied certification due to non-compliance with the signature requirement.
40. The **municipal structures** discussed in the last Minorities Assessment are up and running in most municipalities in Kosovo. However, it is often the case that although the main body of the Assembly does function, other mandatory organs like the Communities Committee and the Mediation Committee are not fully constituted or fully operational. The SRSG has appointed minority assembly members pursuant to his authority under Section 47 of Regulation 2000/45. However, the reality is that not all of the appointed members are actively participating. The full and active engagement of minority representatives in the work of the municipal assemblies is a challenging task. It demands not only the tolerance and acceptance of the majority members and their constituency but also the willingness and acceptance of each minority community. These are key factors, which unfortunately, cannot be taken for granted in the hostile environment of Kosovo. One problem repeatedly highlighted is that the municipal assemblies are used as a political platform with excessive time dedicated to generalised political discussions, at the expense of tackling the local issues that lie squarely within the assembly mandate. Minorities frequently boycott assembly meetings as a mark of protest at the perceived lack of action relevant to their needs and/or as an obstructionist tactic designed to block assembly business. The negative impact of such irresponsible behaviour by assembly members of all ethnicities, is ultimately borne by the community at large who suffer the consequences of limited achievements in solving pressing problems, such as education, sanitation and road repairs. It is imperative that the representatives of all communities assume their full responsibilities and begin to address the issues affecting their municipalities before the public at large begins to lose faith in the political process.

41. As mentioned above, the **Communities and Mediation Committees**⁶ are not fully functioning in every municipality. Taken together these bodies offer minority groups the means to advocate for non-discriminatory practices by public officials, general respect for human rights and the mandate to investigate cases where the rights of a minority have been called into question or violated. Unfortunately, there is still little available information upon which to base any assessment of the functioning of these special committees. OSCE has undertaken training initiatives in order to impart practical knowledge of human rights principles to the members of the Committees and encourage consideration of applicable human rights standards in the work of the Committees.

Non-discrimination/access to effective remedies

42. As elections draw near it is timely to consider how the problems of the minorities can be addressed in a manner that will be sustainable over the long term, given the gradual departure of the international community. At the heart of many of the problems faced by minorities lies the question of discrimination, whether it be in accessing social services, education, the judicial system, or the myriad other services that fall under the direct responsibility of the local authorities. The source of the discrimination may vary, sometimes originating from the minority community itself but more commonly emanating from the majority community towards minority communities in general. The best mechanism to address this problem is to ensure that those alleging that they have been discriminated against are given access to effective remedies, that can fairly and impartially evaluate the merits of their claim and propose a solution that is in turn enforceable. At present, such remedies are far from systematic, and in many cases, non-existent. In principle remedies should ideally be; legal, ensuring that minorities have access to the legal system and permitting a court, or alternatively a specially convened tribunal or quasi-judicial body, to decide whether discrimination has taken place; or administrative, whereby public institutions are held directly responsible for responding to allegations of discrimination in their practices or policies. To be fully effective the mechanism employed must provide a visible and enforceable remedy, whether it be the obligation to institute a change in practice and/or compensation. In all events such remedies must be practical. There is little to be gained, for example, in introducing a swathe of legal remedies if the aggrieved parties are unable to access the courts in safety.
43. Providing effective remedies requires a number of inter-related steps. First, the rights of minorities, and in particular the principles of non-discrimination must be clearly enshrined in law. This is already effectively the case in Kosovo through the promulgation of the Constitutional Framework and a number of key regulations such as Regulation 2000/45, which inter alia addresses the issue of non-discrimination in the exercise of municipal functions. Next, aggrieved persons must have effective access to a court or other appropriate body. Currently this is unfortunately rarely the case, although the Norwegian Refugee Council (NRC) does have a civil rights project, funded by UNHCR, which has done significant work to provide minorities with appropriate legal advice and guidance. A major failing point in the delivery of effective remedies in Kosovo at present relates to the ability of the existing courts to impartially receive and judge cases of discrimination and other cases affecting minorities. Even assuming that courts were ready and willing to receive cases, the realistic possibilities for many minorities to present themselves in court, along with a legal representative of their choosing is very limited. More than 18 months after the reactivation of the legal system under UNMIK administration, court capacity is still largely limited to attending to criminal matters and effective civil remedies still lag far behind. This fact is compounded by the complete absence of effective administrative remedies. Repeated allegations of discrimination in service delivery are at worst shrugged off as inevitable and un-resolvable under the circumstances and at best investigated in an ad hoc manner that relies more on the personal motivation and commitment of individuals than on a systematic institutional approach to counter discrimination.

⁶ See UNMIK Regulation 2000/45. For more detailed information on the mandate of the committees, please see the last Minorities Assessment.

44. One notable failure of the courts to give an effective remedy is in employment cases as illustrated by documented experiences in Prizren. Numerous cases alleging discrimination in public employment have been recorded by the NRC (totalling approximately 40 during this reporting period alone). The courts have not yet issued a single formal judgement in these cases, although some have been resolved through alternative means. It has become increasingly clear that the courts are avoiding hearings in these employment cases, giving reasons such as the lack of specialist employment judges. This argument does not stand up to scrutiny, as there are no specialist judges in any other area of law. Although the Department of Judicial Affairs has taken action in the form of circulars confirming that the courts have jurisdiction over employment cases, it is clear that more urgent proactive action is needed, including the highlighting of precise procedures on, among other things, time limits for the hearing of cases. Until minorities are able to identify and advocate for remedies to their problems, confident that their concerns will be examined in an objective and transparent manner, they will remain helpless to resolve them.

Initiatives towards tolerance

45. Lack of progress on constructive inter-ethnic dialogue remains one of the major stumbling blocks preventing real progress on minority related issues. In this regard the Kosovo leadership, including the representatives of all ethnic groups, have frequently shown themselves to be less than willing partners. An unacceptable pattern of avoidance and/or deliberate sabotage has been witnessed from all quarters. The result being that minority issues, as a crucial factor in the future development of Kosovo, are simply not discussed in any substantive way or serious way by key local actors. Each side prefers to stick to its own, by now well-worn, rhetoric and operate from the relative ease of passing the blame without any corresponding action to propose solutions. If this situation is allowed to continue indefinitely, the long term development of Kosovo will be retarded and the currently unacceptable and uneasy status quo will increasingly become entrenched and perversely viewed as the norm, so long as the number of fatalities can be kept to a minimum.
46. Where politicians, media and other so called leaders from all communities have failed, and failed miserably, there are indications that others, less cowardly, are willing to try. We have identified during the course of this report a number of simple yet striking examples where local people have been willing to defy the constraints imposed by their own communities, in search of solutions that can contribute to a better and shared future. Such examples often amount to little more than, civil interaction with neighbours of another ethnicity, the sale of goods to members of another ethnicity or attending a meeting to discuss inter-ethnic issues. We have come across numerous examples where such actions have been pursued despite potential personal risk to the individuals concerned. The levels of intimidation existing within each community are alarming. They aim at nothing less than to coerce full conformity with an accepted, yet often fatally flawed and highly prejudiced, group viewpoint. Such inward and backward looking approaches threaten the future development of Kosovo and must be countered at every possible opportunity by being public highlighted and condemned. The proponents of such negative actions must be challenged to assume full responsibility for the consequences of their actions.
47. Apart from individual attempts to break the cycle of intolerance and hatred, there are some encouraging signs emanating from the NGO community. A number of local NGOs have become increasingly active in trying to raise the profile of inter-ethnic contacts. Foremost among these is the Council for the Defence of Human Rights and Freedoms. With a respectable reputation for the defence of human rights throughout the most difficult periods of the previous regime, the Council has not hesitated to speak out in defence of minority rights and to condemn the constant violations of human rights that plague Kosovo today. Under the auspices of the Council, a Committee for Understanding, Tolerance and Coexistence, with a multi-ethnic character, has been formed and has embarked on a series of highly visible trips to minority areas. The objective is twofold; to extend a hand of friendship and co-operation to minority communities in order to remind

them that their plight has not been forgotten; and to send an equally clear message to the majority community of the burden of responsibility that they bear to protect and foster the rights of their co-citizens regardless of ethnic considerations.

48. Among the international NGOs also, there has been further follow up to earlier initiatives that aim to increase and enhance the *Do No Harm* concept. This is a simple yet highly challenging concept that encourages all NGOs to reflect seriously on the impact of their assistance with a view to ensuring that it has a positive impact in the interests of all groups, without unduly favouring one over another, or worst still, provoking further conflict through ill thought out assistance measures. A number of international NGOs grouped together as a coalition under the title *Alliance for Rights and Tolerance* have made it their goal to fully incorporate the *Do No Harm* concept in all their Kosovo based programmes. The group is increasingly trying to reach out to local partners and bring them on board with the same goals. Recently they drafted and circulated a proposed Code of Conduct for NGO staff, which highlights a number of important issues relating to the non-discriminatory discharge of duties. The code remains a draft, still subject to further debate but it does serve as a starting point for constructive discussion within the NGO community, helping NGO staff to focus on the challenges they face in their everyday work with Kosovo's constituent communities.
49. The various religious communities of Kosovo have taken further steps to try to play a more prominent and positive role in opening a door for dialogue. In a meeting that took place in Norway in early September, representatives of Kosovo's Islamic, Orthodox and Roman Catholic communities, adopted a plan in support of dialogue and reconciliation. Speaking after their meeting the religious leaders emphasised the need for all communities to recognise the wounds of others and to find ways to forgive each other in order to be able to move on and build a better future. In addition they called upon the media to contribute to the process of reconciliation by playing a positive role in dialogue.

Problems highlighted in the above sections are best illustrated and more easily understood by reference to the actual experiences of each minority community. The impact from community to community and even from location to location can vary dramatically and we have therefore dedicated the remainder of this report to a factual description of the experiences of each community as reported by the minority communities themselves and as observed and documented by our own staff members in the course of their everyday interactions with these communities. In addition, we have drawn information from the direct experiences of the numerous NGOs, both local and international, with which UNHCR and OSCE work in close partnership.

Kosovo Serbs

50. The number of Kosovo Serbs in Prishtine/Pristina city is subject to constant fluctuation. For the purposes of this report we have focused on those Kosovo Serbs living permanently in the city rather than those who come and go for work related and/or personal reasons without maintaining a permanent home base in the city. Estimates for the current number of Kosovo Serbs in this category (permanent residents) have fallen as low as 300. It has to be noted, however, that figure is calculated with reference to those individuals and families reliant on NGO support and KFOR security presence to maintain their presence. It is of course possible that a greater number of Kosovo Serbs live in the city who have not come to the attention of the international community, as they have developed alternative coping mechanisms and prefer to maintain a low key existence.
51. Living conditions for the remaining Kosovo Serbs are very restrictive. Freedom of movement unhindered by significant security risks is practically non-existent. The majority of Kosovo Serbs who remain, tend to live concentrated in pockets which are well known to KFOR and benefit from extensive security measures. Interestingly enough despite the numerous confines of their daily existence, most of the community, with the exception of the completely housebound elderly, do have some form of income, whether from employment with international organisations and/or from rental of their own and/or

other properties. NGO support to the community has focused on promoting self-reliance. A daunting task considering the extreme limitations placed on any type of normal activity. Minor successes have been achieved nonetheless. A small shop has been established and community members are constantly encouraged to be more outgoing and mobile to the degree that security provisions permit. Fresh food deliveries have been discontinued for some that are now deemed capable of meeting their own needs, due to factors such as increased income and facilitated mobility. In reality mobility continues to be heavily reliant on KFOR intervention but over the course of the summer a number of group activities were achieved, including a community party and visits to and from other isolated Kosovo Serb communities. Such contacts have contributed to breaking the sense of isolation and abandonment that so frequently confronts this dwindling population. However, there are some within the community who have declined the offer to get out and about, even for limited periods of time. Their past experiences have left them traumatised that their homes will be appropriated if they are not present all the time and neither the offer of secure transport nor KFOR assurances to house-sit in their absence can convince them to avail of opportunities for greater social interaction. The pervading characteristic of this community is one of stoic perseverance, sadly tinged with the realisation that without a radical change of circumstances their future in the city is very limited indeed. On 18 April 2001 a bomb attack committed in broad daylight in the middle of Prishtine/Pristina killed a Kosovo Serb, the Chief of the Passport Office, and injured three other persons, one of them very seriously. While this did not constitute a direct attack on the Kosovo Serb community of urban Prishtine/Pristina it shocked them nonetheless, reminding them in no uncertain terms that the threat of violent attack is ever present.

52. Elsewhere in the wider **Prishtine/Pristina** area, Kosovo Serbs are still living in a number of villages of varying size scattered around the municipality. These can be grouped roughly and divided in two main areas covering, rural north and rural south. Security, freedom of movement and unemployment remain the priority issues for the Kosovo Serbs in **rural north Prishtine/Pristina**. The Kosovo Serbs remain very dependent on the international community for necessities such as travel to Gracanica/Ulpjana, shopping, access to the church and social visits. Frustration is growing within the community over the numerous incidents of cattle theft. Reports include allegations of Kosovo Albanians visiting villages nightly and walking around houses looking for cows or other items to steal. In August 2001, KFOR initiated cattle branding to act as a deterrent and to assist in finding and recovering stolen cattle. KFOR and UNMIK Police did arrest three people in July for illegal woodcutting after Kosovo Serbs used recently installed panic alarms to alert them. The most serious incident this period was the abduction and attempted murder of a Kosovo Serb in Gornja Brnjica/Bernica e Eperme on 31 July 2001.
53. Figures for the Kosovo Serb population have remained fairly constant since the previous report when the total population for all villages across the rural north band was estimated to have stood at approximately 1,350 persons. Since then about six families departed from **Devet Jugovica/Nente Jugoviq** due to frustration over general quality of life issues. Some individuals, but no complete families, returned to **Lebane** and **Gornja Brnjica/Bernica e Eperme** from Serbia proper. Following optimism earlier this year regarding potential returns, it now appears that there will be only limited numbers of Serbs returning to the rural north area this year. UNHCR, OSCE, UNMIK, KFOR and local Kosovo Serb representatives travelled to Serbia proper on 10-13 June 2001, for a **go-and-inform visit (GIV)**, to discuss the process of returns, and to share information on the current situation in various locations in Prishtine/Pristina rural north and in Slivovo/Slivove. Overall the trip was considered successful and as a result, there is a better understanding, on all sides, of the main concerns of the displaced persons and the roles and responsibilities of the organisations represented. The main issues raised were security and property concerns. A strong message from the IDPs was that, despite security concerns, people do want to return to their homes, not least because of the difficulties and hardships they face in maintaining their families in Serbia. The meeting also illustrated the need for more direct dissemination of information on the return process. To build on this information sharing initiative two **go-and-see visits (GSVs)** were organised for the benefit of displaced persons and many of those who participated expressed an interest in assessing the state of their houses with a high percentage

indicating that they wished to sell their properties. The apparent contradiction with earlier expressions of the desire to return home is illustrative of the complex nature of the return process. IDPs are frequently faced with difficult if not impossible choices. The desire to return home while strong is not strong enough to overcome outstanding fears and concerns. People are unsure of the future and simply don't know how best to proceed, whether to sell their properties now or to wait for possible improvements. However, the GSVs did provide an opportunity for the IDPs to reflect on the return option with the benefit of first hand information from their places of origin. In addition, contact with the Housing and Property Directorate (HPD) was established and subsequently progress has been made on addressing the Kosovo Albanian occupation of Kosovo Serb homes in Lebane and Devet Jugovica/Nente Jugoviq.

54. In **Prishtine/Pristina rural south**, Gracanica/Ulpjana constitutes the main enclave location for Kosovo Serbs. It is home to an estimated 4,000 or more Kosovo Serbs, including original residents and persons displaced from other locations around Kosovo. It serves as an important transport hub for many minorities as it is the destination of the Nis Express bus link with destinations within Serbia proper. The bomb attack on the Nis Express on 16 February 2001, when 11 Kosovo Serbs lost their lives, shook the confidence of minorities, particular Kosovo Serbs who relied heavily on the busline. In the immediate aftermath of the bus explosion violent protests took place at a number of locations, especially around Caglavica/Cagllavice. Barricades were erected in many Kosovo Serb villages as a mark of protest and a number of Kosovo Albanian motorists were threatened and/or attacked. KFOR temporarily suspended the provision of security escorts to the Nis Express. UNHCR run buses were also temporarily suspended to allow for a full security review of the potential threat against them. This had a considerable impact on the already restricted freedom of movement for minorities living in the immediate area and in fact throughout Kosovo. Continued security concerns effectively postponed the restoration of previous escorting arrangements until mid-April 2001. The Nis Express now runs twice a week with a variable schedule. To guarantee security along the alternative routes Swedish KFOR have set up roadblocks. Unfortunately, these increased security precautions coupled with rigorous vehicle searches have provoked a degree of resentment on the part of some in the Kosovo Albanian community. KFOR continues to consider Gracanica/Ulpjana a potentially high-risk target for terrorist attack. During the reporting period a number of discoveries of weapons heightened security concerns.⁷ The law enforcement agencies tend to react to public gatherings or festivities in the enclave by cordoning off Gracanica/Ulpjana. Recent events, particularly the prolonged protests instituted on 10 July 2001 in Gracanica/Ulpjana by the Families' Association of Missing and Abducted Persons in Kosovo, have heightened tensions. In response KFOR and UNMIK Police implemented even more strictly controlled traffic blocks. By the end of the reporting period this situation had eased somewhat as organised protests within the Kosovo Serb community had to all intents and purposes been suspended.
55. The impact on civilian traffic passing through Gracanica/Ulpjana continues. Long queues at vehicle check points (VCP) are common. The road through Gracanica/Ulpjana is the main road between Gjiilan/Gnjilane and Prishtine/Pristina, and is used heavily by Kosovo Albanians for both commercial and private purposes. Kosovo Albanians have grown increasingly frustrated. On 10 July 2001, Kosovo Albanian village representatives from the Gracanica/Ulpjana region complained about the roadblocks, which they stated were unnecessary two years after the war, and described a calm situation in and around Gracanica/Ulpjana. The Kosovo Albanian representatives hold the Kosovo Serbs, rather than KFOR, as responsible for the roadblocks. Several inter-ethnic incidents ensued, including the 10 July 2001 stoning of a Kosovo Albanian bus passing through

⁷ For example, on 2 May 2001, KFOR found a quantity of nitro-glycerine in a lorry. Four days later KFOR found a briefcase containing hand grenades in Prishtine/Pristina rural south. On 27 May 2001, Gracanica/Ulpjana, Swedish KFOR found a bag of grenades near the monastery in Gracanica/Ulpjana. While many weapons were collected during the amnesty that was in place leading up to the introduction of more stringent arms control legislation in early July 2001, it is clear that an unacceptable number of weapons remain in the possession of the general public and continue to constitute a threat to the overall security of Kosovo.

Gracanica/Ulpijana, and the 18 July 2001 stoning of the Nis Express near Gracanica/Ulpijana.

56. Another pressing security issue that affects minorities throughout the **Prishtine/Pristina region** is the provision of security escorts. Limited freedom of movement has led to a high demand for escorts. On 10 May 2001, Swedish KFOR called for a rationalisation of the escorts, with an increased role for UNMIK Police. UNMIK Police continue to limit police escorts to health care emergencies only. A Prishtine/Pristina regional Freedom of Movement Working Group was convened on 9 June 2001 and produced a draft document on escorts that was forwarded to the Principal Deputy SRSG. Whilst a response to this is awaited, KFOR have gradually reduced their escorts and, in the absence of a regional policy for escorts, UNMIK and KFOR initiated talks at a municipal level to establish local escort arrangements in Prishtine/Pristina rural south. Differences of opinion persist as to which organisation should take the final decision on individual escort requests. On the other hand, freedom of movement has been improved by the establishment of a commercial bus service connecting Gracanica/Ulpijana to Fushe Kosove/Kosovo Polje, which further enables persons to access the train to the municipalities in northern Kosovo and from there avail of transport connection opportunities to Serbia proper. This bus was first discussed between KFOR and the JIAS Department of Transport and Infrastructure (DOTI) in April 2001 with the close involvement of UNHCR. However discussions over whether KFOR should provide permanent escorts to the bus delayed implementation of the project. The service was further delayed when, on 22 May 2001, the Kosovo Albanian bus company withdrew their offer to operate the service, in the face of unilateral route changes by KFOR. The bus company cited its inability to find a driver, disagreements on the route and other economic reasons. The bus finally began operating with a KFOR escort on 2 June 2001, but was suspended one week later when KFOR decided to end the escorts. Finally on 9 July 2001, DOTI, the bus company, and KFOR reached an agreement by which KFOR would ensure the security of the bus without necessarily providing escorts. Since then the bus has operated without incident. The fact that such a service can operate with local involvement is an encouraging sign, which deserves full support and which serves as a model for the development of further services elsewhere.
57. The two remaining Kosovo Serbs left **Podujeve/Podujevo** town in January and February 2001. Both elderly women, who had lived for the past two years, with constant KFOR presence, under conditions of extreme isolation and constant intimidation, cited medical reasons for their departure and went to live with family members in Serbia proper. Ugly scenes of jeering and verbal abuse marred their departure. Elsewhere in the municipality a further 24 elderly Kosovo Serbs still live in the isolated rural village of **Sekiraca/Sekirace**. Despite constant rumours of anticipated return to this location the population has remained unaffected by either return or departure. The only recent change in population figures resulted from the death of one of the community members of natural causes related to old age. Overall the security situation for the Kosovo Serb residents of this municipality has not changed and remains relatively calm. This stability is however largely based on the fact that numbers are so low and the population is effectively invisible, remaining confined to one isolated location.
58. In **Lipjan/Lipljan**, the estimated total of the Kosovo Serb population has fallen to 8,400 and consists of a concentration of some 2,200 in the town, and 6,200 elsewhere in the municipality, including 1,500 in **Donja Gusterica/Gushterice e Ulet** and 1,200 in **Dobrotin/Dobratin**. According to KFOR and UNMIK Police, the overall security situation in Lipjan/Lipljan municipality from March to July 2001 has been calm. The number of incidents, such as hand grenade and explosive attacks, shootings and arsons, has decreased, in comparison to the same period last year and to the period immediately preceding March 2001. There remains some unwillingness to report minor incidents to the police as Kosovo Serbs do not think that it will resolve anything. The community remains concerned that many of their streets are unlit, which undermines their sense of security. The issue has been raised repeatedly but remains unresolved. Another issue of concern is the fact that many of the Kosovo Serbs in Lipjan/Lipljan town have had their telephone lines disconnected. Discussions were initiated with the telephone company in July 2001

based on a sample survey undertaken by UNHCR, OSCE and Childrens Aid Direct and a proposal to institute a reconnection programme, linked to a phased repayment scheme for outstanding bills. A number of Kosovo Serb customers have expressed interest in the scheme which has already been run on a pilot basis in Kosovo Serb locations in Prishtine/Pristina municipality.

59. Freedom of movement for Kosovo Serbs in Lipjan/Lipljan municipality remains very limited. By and large they cannot move freely between the villages and Lipjan/Lipljan town without risking harassment, although some do take the risk and undertake short trips without escort. In June 2001 Finnish KFOR started providing escort arrangements for two buses, a project now operating under UNMIK supervision, which has resulted in improved freedom of movement. Negotiations are ongoing to include Fushe Kosove/Kosovo Polje on the route. The extension of train services to include Lipjan/Lipljan also had a positive impact on freedom of movement.
60. Despite slight improvements, insecurity and limited prospects in Lipjan/Lipljan town still prompt **Kosovo Serbs to continue to sell their properties and leave**. Most departures are to Serbia proper but some Kosovo Serbs have moved to live with relatives elsewhere in the town or municipality, seeking greater security in concentrated numbers. Misinformation preceding the introduction of the UNMIK regulation on property sales, appears to have had the effect of generating increased pressure from both Kosovo Serbs and Kosovo Albanians, to convince the remaining Serbs to sell, on the grounds that they would be prevented from doing so after the finalisation of the regulation. Houses continue to be sold in strategic locations, cutting off footpaths used by the Kosovo Serbs to connect the various Serb areas of the town. This adds to the perception that a concerted and co-ordinated effort is underway to further divide and isolate the community. At the close of the reporting period the owner of a residential property, used to date as an improvised school building, proposed to sell up and leave Kosovo, causing anxiety among the Kosovo Serbs who immediately initiated protests, demanding from UNMIK an alternate location of their choosing. They have thus far refused to contemplate any of the suggestions made by UNMIK, including the offer of a container structure to serve as the new school complex. At the close of the reporting period Kosovo Serb children were attending classes in inadequate facilities in an alternate private house, while their parents continued to ignore the existence of a more appropriate solution, which would necessitate their co-operation with UNMIK.
61. The few remaining Kosovo Serbs in **Shtime/Stimlje** municipality, numbering only 25 persons, live in their own homes in Shtime/Stimlje town. Since the last report, three Kosovo Serbs have left the town; one elderly man moved to Serbia proper, and a woman and her daughter moved to Lipjan/Lipljan. There is still no permanent police station but the former police station is under repair and there are eight international police officers and 28 KPS officers working part-time in the municipality. Attacks on Kosovo Serb property have decreased, but some incidents of threats and stoning of houses have been reported by Kosovo Serbs to the OSCE. The Serbs had not reported these incidents to the police or KFOR as they say there is never any conclusive follow up to their complaints. A number of Kosovo Serbs who are in receipt of social assistance payments are visited by Kosovo Albanian workers from the Center for Social Work and they have expressed their satisfaction at the professional manner in which they have been attended. This small but positive example belies the widespread myth that Kosovo Serbs and Kosovo Albanians are unable to interact.
62. In **Obiliq/Obilic** municipality, the situation of the Kosovo Serbs remains precarious. Numbers however are relatively stable with the exception of Obiliq/Obilic town, which has experienced a small scale but steady trend of departures, both temporary and permanent. In May four families left for Serbia proper, although one family returned to Obiliq/Obilic, due to the dire economic conditions they faced there. In July, another four families left for Serbia proper. Obiliq/Obilic is characterised as a predominantly Kosovo Albanian town, with the relatively small Kosovo Serb community now calculated to total no more than 650 persons comprised of; original residents, (281 families/590 individuals); and Kosovo Serb IDPs, (32 families/60 individuals), most of whom hail from nearby villages. This

restricted urban community has extremely limited opportunities to buy or sell basic goods, and limited access to health care. In late 2000, inter-ethnic house sales began to steadily increase and in early 2001 the illegal occupation of flats temporarily or permanently abandoned by Kosovo Serbs increased dramatically, with the suspicion remaining that the pressure to sell is organised. The difficult conditions of life in town directly contribute to a continuing sense of frustration, isolation and vulnerability among the remaining Kosovo Serbs.

63. The number of Kosovo Serbs in **Plemetine/Plemetina village** is thought to remain stable at in or around 1,000 persons (including some 10 IDP families/36 individuals, living with host families). There is an additional small number of Kosovo Serbs and Croatian and Bosnian Serb refugees who are housed in Plemetine/Plemetina IDP camp. In **Milloseve/Milosevo** the small isolated Kosovo Serb community has now dropped to only 13 families/32 individuals, who are determined to remain in the village despite the continued difficulties and the rapidly dwindling minority population. Temporary movement in and out of **Cerkvena Vodice/Crkvena Vodica** is common, with many families visiting Serbia for short periods and then coming back. The village is situated on the road linking Obiliq/Obilic with Drenica, which exposes it to constant threat of drive-by harassment. It currently has an estimated Kosovo Serb population of 93 families/265 persons, down from previous estimates of 300 to 400 persons. The constant movements prohibit any attempt to peg the numbers more specifically. In **Babin Most/Babi Most**, an isolated village, located off the main Prishtine/Pristina - Mitrovice/Mitrovica road the population has remained relatively stable and numbers some 850 Kosovo Serbs (including eight IDP families/23 individuals).
64. Overall the general security situation throughout **Obiliq/Obilic municipality** during the first half of 2001 showed signs of improvement. Reported cases of intimidation and assaults on minority community members decreased. This compares favourably with the latter part of 2000 when grenade attacks, drive-by shootings and mine traps were relatively common. The presence of the SPU (Special Police Unit) in Obiliq/Obilic town, KFOR random checkpoints and increased patrols, the opening of a sub-Police Station in Obiliq/Obilic municipality, are all factors which contribute to the improved situation. An attempt to deploy minority KPS personnel in Obiliq/Obilic in early March 2001 was met with protests by Kosovo Albanians objecting to the presence of Kosovo Serb KPS cadets in the town. There has however, been some increase in inter-ethnic co-operation on other issues. Kosovo Serbs now participate in the municipal structures. Kosovo Serbs and Ashkaelia and Roma have also established contacts with Kosovo Albanians through human rights and women's NGOs. Ashkaelia and Kosovo Serbs are represented in the Regional Women's Council and two Kosovo Serbs have become activists of the Centre for Defence for Human Rights and Freedom (CDHRF).
65. According to Kosovo Serb representatives, there are now only around 3,500 Kosovo Serbs in the whole municipality of **Fushe Kosove/Kosovo Polje**. This represents a considerable drop from the total figures of 5,000 previously reported. This cannot be totally due to departures and it is assumed that it also reflects ongoing adjustments as statistical information is clarified over time. Two Temporary Community Shelters host small numbers of Kosovo Serb IDPs and refugees from Bosnia and Croatia. The bulk of departures, where these have been recorded, are reported to be from Fushe Kosove/Kosovo Polje town, where the sale of minority owned properties to Albanians is a regular occurrence. Population levels remain relatively stable in the Kosovo Serb villages of **Ugljare/Uglare**, **Kuzmin** and **Batusa/Batuse** and **Bresje** (this last is immediately adjacent to Fushe Kosove/Kosovo Polje town and is sometimes considered an integral part of the town). Ugljare/Uglare has a population of around 1,2000 Kosovo Serbs, including 70-80 IDPs. Kuzmin has a population of around 420, Batusa/Batuse, 350 and Bresje, 750. The overall security situation for Kosovo Serbs throughout the municipality has shown no signs of improvement. Despite constant low level harassment, victims rarely report incidents such as stoning, intimidation and verbal abuse to the authorities. They complain about the lack of neutrality of Kosovo Albanian KPS officers and worry about the confidentiality of information provided to the police. Several Kosovo Serbs reported that after making complaints at the police station and leaving their personal

details, including telephone numbers, they began to receive threatening calls and noted an increased level of harassment. They also complain about the Kosovo Albanian interpreters of KFOR and UNMIK Police, who they say, threaten them. Kosovo Serbs express a general fear of retaliation if they report cases to law enforcement authorities.

66. Unfortunately, children are often the source of low level harassment. Many cases of children stoning and making offensive gestures to Kosovo Serbs have been reported. Female children are reported to have formed a gang, which goes from house to house insulting Kosovo Serbs and telling them to leave or face attacks. OSCE has supported human rights education classes in schools, but the impact appears to have been minimal. Further efforts, including greater educational and recreational activities for the children in the municipality are needed if they are to be discouraged from such negative behaviour. It goes without saying that remedial action is also required to deal with parents who condone or actively encourage the children's actions. While the majority of Kosovo Serbs may not take this sort of intimidation as a serious threat to their security the constant humiliation does take its toll. Kosovo Serbs accuse the Kosovo Protection Corps (KPC) of manipulating children and fomenting continued hatred through meetings where they display pictures of Kosovo Albanians killed during the war.
67. In **Gjilan/Gnjilane region**, minority population levels have generally remained stable. However, considerable variations exist in the statistical information held by different organisations, which makes it difficult to draw clear conclusions. Many Kosovo Serbs travel regularly between Kosovo and Serbia proper and some maintain accommodation in both locations, alternation between one and the other depending on factors such as overall security, the education cycle and agricultural seasons.
68. In **Gjilan/Gnjilane municipality** there are close to 13,000 Kosovo Serbs, including an estimated 900 - 1000 IDPs. In **urban Gjilan/Gnjilane**, there is a very small and ever decreasing, currently estimated at 300. In the weeks immediately preceding finalisation of this report there was a significant increase in illegal occupation of Kosovo Serb homes in Gjilan/Gnjilane town, targeting both inhabited as well as abandoned flats, some of them under HPD administration. Most of the Serbs in Gjilan/Gnjilane municipality live in rural enclaves. Displaced Serbs from the urban area or from village locations considered insecure have moved to those villages where Serbs predominate. The community leaders and inhabitants of the **enclaves of Gjilan/Gnjilane municipality** acknowledge a general improvement in security but report that it is still insufficient and that insecurity remains a serious concern. For example, no major security issues were reported in the mixed village of **Cernice/Cernica** from February to July 2001. This village was previously a focus of inter-ethnic violence, with Kosovo Serbs being targeted even when there was a permanent KFOR presence. After February 2001 there were some tentative moves towards interaction between both communities. According to the Kosovo Serb representative the levels of violence diminished as a result of these meetings. However, on 5 August 2001, a grenade was thrown into a house in the village, injuring five Kosovo Serbs, two seriously. This incident highlights the fragility of the current calm in the region. Confidence between the Kosovo Serb community and KFOR had been increasing but was shaken by this latest incident which took place after the removal of a KFOR post from this ethnically divided village. Another grenade attack the following week targeting a Kosovo Serb house in the neighbouring village of Gornj Livoc prompted a four-day long security clamp down in the area. This was welcomed by the Kosovo Serbs but rejected by Kosovo Albanians who considered it to constitute an unreasonable and disproportionate form of collective punishment. Confidence in the KPS and UNMIK Police remains very low.
69. **Gornje Makres** is the only location in Gjilan/Gnjilane municipality where return of Serbs can be noted, with five families/11 persons having returned in June/July 2001. In northern Gjilan/Gnjilane municipality, the Serb community states that a major deterrent to returns is general perception of the lack of sustainable future options, in particular the lack of employment opportunities. Stabilisation of the security situation notwithstanding, this will continue to discourage return. There have been some positive developments with indications of increased contacts and as a result a certain degree of tolerance, between

Kosovo Serbs and Kosovo Albanians. A KFOR initiative to facilitate shopping for Serbs in Albanian stores in Gjilan/Gnjilane town now operates. Kosovo Serbs living in **Strpce/Shterpce** are brought to Gjilan/Gnjilane to benefit from these shopping days, and a growing number of Albanian stores have joined the initiative.

70. **Kamenice/Kamenica municipality** has approximately 11,000 Serb residents scattered in as many as 43 different locations. A CARE International survey conducted in April 2001, identified at least 212 Kosovo Serb IDPs originating from the Gjilan/Gnjilane regions who have been displaced to locations within Kamenice/Kamenica. Both returns and departures of Kosovo Serbs have taken place during this period. A trend towards very small scale spontaneous returns occurring to rural villages and small neighbourhoods across Kamenice/Kamenica has been noted. Efforts to support the return of a number of Kosovo Serb families Ljestar/Leshtar have yielded success. This initiative has an inter-ethnic component designed to benefit equally both Kosovo Serb and Kosovo Albanian villagers whose homes were destroyed during and immediately after the conflict. At the same time, according to Kosovo Serb village representatives, some Serb families have departed, sometimes from the same locations to which others have returned. The net result being no significant change in the overall population. Reasons for departure include concerns about freedom of movement, and the lack of employment and access to health care.
71. There were fewer serious incidents occurring during this period relative to previous reporting periods giving reason to conclude that there has been a general improvement of security for minorities within the municipality. KFOR categorise the current security situation of minorities as being satisfactory. Minorities themselves acknowledge improvements in terms of security and freedom of movement. UNMIK Police and the KPS have undertaken a number of successful initiatives to improve their relationship with minority communities. UNMIK Police community officers have been appointed and they are generally well received by the minority communities. Kosovo Serb and Roma KPS work in police stations located in communities with minority members.⁸ Mixed KPS patrols cover minority areas when possible. Trust in the police has gradually improved and minorities are now more likely to report incidents. It is still believed however, that the majority of low-level crimes are simply not reported due to reservations about poor investigations in the past and incomplete trust of Kosovo Albanian KPS officers. Serious incidents, such as the murder of a Kosovo Serb travelling between Kamenice/Kamenica and the village of Bosce on 20 June 2001 and an explosion in a Kosovo Serb house in a mixed area of Kamenice/Kamenica on 5 April 2001 are a constant reminder of the vulnerability of minority communities. In both cases, there are strong suspicions of ethnic motivation, but there been on arrests yet for either crime.
72. In the southern part of the municipality minorities travel within the area and to Serbia proper safely and without any major restrictions. Since UNMIK Police and KFOR increased their presence in the Kosovo Albanian village of Koretin, travelling on the main road to Kamenice/Kamenica has been considered safer and all organisations observed an increase of movement by minorities within the municipality. In the period immediately preceding the release of this report a growing number of incidents targeting minorities, including stone throwing, once again called into question the security of this route. After a period of genuine improvement the situation seems to be once again worsening. In March, following an OSCE initiative, Kosovotrans, supported by UNMIK, started running a bus line linking Kosovo Serb locations in the south of the municipality to the rest of the municipality. Despite economic difficulties, threatening sustainability, the project has proved a real success in improving freedom of movement. On the other hand, continuing problems in the area are illustrated by the fact that UNMIK Police and KFOR still have to escort children to school.
73. The situation is more volatile in certain **remote northern parts of the municipality**, where the minority communities continue to feel insecure and limit their movement. They prefer to travel the distance to Kamenice/Kamenica town rather than to locations closer to

⁸ The ethnic breakdown of KPS represents more or less the ethnic breakdown of the population of the municipality.

them for basic needs such as healthcare. Travelling in the ethnically mixed areas in the north of the municipality along main roads is relatively safe during daytime. A Kosovo Serb representative there described the situation as satisfactory but the murder in June, mentioned above, threatened the general sense of improving security. Kosovo Serbs have continued to travel unescorted despite this incident and Kosovotrans intends to extend its bus line to cover destinations in the north of the municipality. In the few villages with Kosovo Serb inhabitants reports of regular harassment either within the village itself (e.g. in Vaganes/Vakanesh) or when travelling out of the village (e.g. in Boljevice/Bolec) are still very common and in a number of acute cases members of minorities are still restricted to their homes and/or immediate surroundings as a result of fear. This is the case in Vaganes/Vakanesh, and in Krileve/Kriljevo where a handful of Kosovo Serbs are outnumbered by the hundreds of Kosovo Albanians they live amongst.

74. The northern and eastern parts of Kamenice/Kamenica municipality mark the boundary with the Presevo valley area of southern Serbia. Tensions in the Presevo valley, including the activities of the UCPMB between November 2000 and June 2001 caused major security and freedom of movements concerns for minorities in the municipality. Travel to Serbia proper for Kosovo Serbs and Roma became difficult and at impossible due to increased hazards.⁹ Since the demobilisation of the UCPMB and the phased entry of Yugoslav forces into the Ground Safety Zone was completed, in late May 2001, tensions have eased considerably and minorities have once again started to travel more safely to Serbia. UNHCR has engaged in a pro-active return programme for the benefit of ethnic Albanian IDPs who fled to Kosovo from southern Serbia. Despite substantial improvements, the situation remains fragile and numerous confidence building measures will be required to ensure long-term stability.
75. According to village representatives, the latest population figure of Kosovo Serbs in **Viti/Vitina municipality** is around 3,400. According to UNMIK sources a total of 126 Kosovo Serbs left Viti/Vitina municipality between 1 February and 10 May 2001, including 98 Kosovo Serbs from Viti/Vitina town. In most cases departure was marked by the definitive sale of their properties. There are still many families, in particular from Viti/Vitina town, who have expressed a desire to leave. Many cite continued limitations on their freedom of movement, especially in the mixed areas, as a factor which motivates departure. On the other hand, the security situation in Viti/Vitina during the summer months has been the calmest since the end of the conflict, with few major incidents reported. This relative quiet contrasts with a number of violent attacks earlier in the year which included the murder of two Kosovo Serbs in and near Viti/Vitina town on 30 April and 2 May. It is feared that the murder of a Kosovo Serb farmer from Vrbovac/Urboc, on 4 September and two hand-grenade attacks, on 8 and 24 September, against the home of the only remaining family in the former Roma quarter of Viti/Vitina town, signal yet another upsurge of ethnically motivated violence in this region.
76. In **Novoberde/Novo Brdo**, the total population of Kosovo Serbs is 1,355, suggesting that departures must have occurred as previous estimates stood at around 1,700. As with most other locations movement both to and from Serbia is common. During this period, there were a few individual returns of IDPs, with one family returning to Zebince/Zebnice village in June 2001. Incidents of direct violence against Kosovo Serbs in this area are rare but some cases have been reported recently, including the shooting and injuring of a Kosovo Serb man. There is still no police station in Novoberde/Novo Brdo. Cattle theft is very common in **Prekovce/Prekoc** and in **Zebince/Zebnice** and Kosovo Serbs complain that KFOR does not patrol on a regular basis. They worry that the loss of their livestock will continue unabated. Following an UNMIK initiative, an unescorted bus service runs twice a week from Novoberde/Novo Brdo municipality to Gracanica/Ulpjana. Apart from this bus service, Kosovo Serbs and Romas are reluctant to travel on their own initiative, saying that they fear attack.

⁹ For example, OSCE received reports of twelve cases of serious ill treatment by the UCPMB of minorities from Kamenice/Kamenica in Koncul (a village in Serbia proper close to the boundary). It is believed that more cases occurred but were not reported for fear of retaliation, especially as those accused are often from Gijlan/Gnjilane region.

77. **Strpce/Shterpce** municipality is one of the largest concentrations of Kosovo Serbs in Kosovo, living in an enclave type situation. Overall the population is a complex mix consisting of approximately 9,100 resident Kosovo Serbs, 1,250 Kosovo Serb IDPs and 4,500 Kosovo Albanians. An additional 800 to 1,000 ethnic Albanians displaced from the municipality are currently in Ferizaj/Urosevac with little possibility of returning to their homes in the near future. On the basis of recently reported incidents levels of criminal activity appear to be low and the general security situation can be described as calm but tense. The most frequently reported offences are minor thefts and violations of traffic regulations but there have been some more serious incidents as well. Reports of verbal intimidation and other forms of conflict between both communities in the ethnically mixed villages of **Drajkovce/Drajcok** and **Vica/Vice** continue. The OSCE has discussed the tensions in the two villages with the Police Station Commander who stated that regular mobile patrols would be increased. A serious incident with ethnically motivated overtones occurred in **Drajkovce/Drajcok**, on 23 March 2001, when an explosion partially destroyed the door of one of only three Kosovo Albanian houses in the village. On 18 July 2001, stones were thrown at the same houses. Following both incidents, the inhabitants made an official request for more security with mobile patrols during the night. On 22 April 2001, shots were fired at a shop Kosovo Serbian village of **Popovce** while eight persons were inside. UNMIK Police Regional Investigation Unit in Ferizaj/Urosevac is following these cases but at the time of writing, there has been no visible progress in the investigations. Despite frustrations over unsolved crimes, in general, the relationship between the Kosovo Serb population and UNMIK Police is satisfactory. The relationship between the Kosovo Serbs and KFOR in Strpce/Shterpce has improved considerably following greater efforts on the part of KFOR to attend to the daily problems of the community. A particularly welcome initiative has been the inclusion of Kosovo Serbs from Strpce/Shterpce in the KFOR-escorted weekly shopping trips to Gjilan/Gnjilane market, as mentioned above. These trips are very successful with the number of participants growing every week. A constant concern, however, is the security of the KFOR-escorted convoys that take Serbs to and from the boundary with Serbia proper. The convoys are still frequently stoned, at different locations along their route.
78. The situation of Serbs in **Ferizaj/Urosevac** has not changed significantly since the last report. They continue to depend on the 24-hour presence of KFOR and their number has decreased from 22 to 21, with one person moving to Serbia. The general security situation for the few remaining Kosovo Serbs is calm, but it has to be remembered that they rarely leave their homes. Since the beginning of the year there were a couple of instances in which a Kosovo Serb family received threatening phone calls, advising them to leave Kosovo. KFOR have supported a UNHCR initiative to allow displaced Kosovo Serbs visit their homes in locations around Ferizaj/Urosevac. The visits follow two modalities; small groups escorted to see their properties but without any direct interaction with the Kosovo Albanians who are currently occupying; or individual visits which do involve direct contact and which require considerable preparation to minimise the risk of provoking further conflict. Many of those displaced are currently to be found in Strpce/Shterpce.
79. In **Peje/Pec** municipality, the number of Kosovo Serbs living in the **Gorazdevac/Gorazhdec** enclave has fluctuated as people travel back and forth to Serbia availing of regular private transport services. An estimated 1,000 persons maintain a stable residence in the enclave although this number has risen and fallen with visitors over the summer months. **Gorazdevac/Gorazhdec** remains under 24 hour KFOR protection facilitated by the presence of a significant military base in the immediate area. A police sub-station with two international and five Kosovo Serb KPS officers opened in February 2001. Kosovo Albanian and Kosovo Bosniak KPS officers have participated together with their Serb colleagues on a limited number of mixed patrols. This has contributed to an improvement in the overall security situation in the village, although some incidents continued to occur. For example, between March and May there were several cases of illegal quarrying and illegal woodcutting on Serb properties. The cases were presented to the Minor Offences Court, but hearings have been repeatedly delayed and the police have expressed dissatisfaction with the outcome thus far. In the beginning of June, there were a number of incidents of arsons and shootings. Relations

between the surrounding Albanian villages and Gorazdevac/Gorazhdec remain hostile and the Albanian village leaders resist any suggestions linked to initiating a constructive dialogue with the Serbs. A visit by members of the Council for the Defence of Human Rights and Freedoms during July 2001 was very much welcomed by the Kosovo Serbs and could herald the way for a greater degree of communication between the different communities. Lists of "war criminals" naming Serbs from the area continue to circulate, which the police state have very little substance. On the other hand, some improvement is shown by the fact that Serbs are farming 400 hectares on the outskirts of Gorazdevac/Gorazhdec. A bus to Mitrovica/Mitrovica and Serbia proper has enhanced freedom of movement possibilities. The bus was donated to the community by an Italian NGO and is now a self sustaining enterprise.

80. About 30 Serbs, including monks and nuns, live under 24-hour KFOR protection in the **Peje/Pec Patriarchy**. All their movements outside the compound are under KFOR escort and a 24-hour KFOR checkpoint remains at the entrance. No security incident targeting the Patriarchy has been reported for over a year.
81. The Kosovo Serb population in the mixed village of Crkolez/Cerkolez in **Istog/Istok municipality** has remained constant at approximately 85 persons, including 6 IDPs from outside the village. An empty Kosovo Serb house was set on fire in May 2001 but otherwise the villagers report that the situation has for the most part remained calm and in some ways has even improved. Kosovo Serbs are still unable to travel freely outside the village or access the full extent to their agricultural land. Within the village, however, the situation has visibly improved, with Serbs reportedly being able to walk freely in the Albanian section of the village without problem. However, KFOR do still maintain a 24-hour presence in the village, which is indicative of the fact that security remains volatile.
82. Elsewhere in Istog/Istok municipality, attention has been focused on **Osojane Valley**, where a number of totally abandoned and destroyed villages were identified by the Joint Committee on the Return of Kosovo Serbs (JCR) as potential locations for a phased, organised return project. The absence of an existing population coupled with the high levels of physical destruction inhibited any spontaneous returns of individual families. Despite this the Local Working Group under the auspices of the JCR process worked throughout the summer, concentrating their efforts on the realisation of a small-scale organised return intended to benefit up to 50 families in the first instance. UNHCR organised a go-and-see visit in early July for 21 IDPs, then living in the Belgrade area. This visit covered a number of areas in Istog/Istok, including but not limited to Osojane Valley. The visit provoked negative reactions from local Kosovo Albanians who claimed to have identified criminals amongst the visitors and argued that the past crimes of some Kosovo Serbs preclude any return whatsoever. Such an approach brushes aside the functions of the judicial system and arbitrarily imposes a sort of collective punishment. Such arguments cannot be countenanced by the international community, which is tasked, by Security Council Resolution 1244, to support return of all refugees and IDPs in a fair and impartial manner. A second go-and-see visit for 17 IDPs in late July passed off without incident and by mid-August a first group of 54 IDPs had returned to the Valley in a UNHCR-organised convoy to start the work of rebuilding their homes.
83. Work is concentrated around **Zvecan village**, which is the first location, secured by KFOR. Pending the successful completion of this first stage of the project it is hoped to extend and to include a greater geographical area, and a greater number of beneficiaries. At the time of writing the number of IDPs on site, working on the project had increased to almost 100. However, the work force is not constant as the IDPs insist on undertaking trips to Serbia to visit their families, hampering the pace of work. A protest was organised in the Istog/Istok area in late August calling on local Kosovo Albanians to object to the return. Otherwise, however, the local Albanian population has been largely indifferent to the arrival of the Serbs, although there are indications that locals feel uncomfortable with the prospects of a growing population so close at hand. The success of the return will rely in large measure on the response of the local population as a whole and it will be important to ensure that sufficient attention is paid to the needs and concerns of

neighbouring Kosovo Albanian communities. On the Serb side the returnees, whilst expressing their relief at finally being offered a real possibility for long term return, have been dismayed at the level of destruction of their homes and the realisation that their immediate future in Kosovo will be dogged with security concerns and security related restrictions. For some the stress of living in such confinement may simply prove too much and the long-term success of this project is far from guaranteed. The current focus on the immediate task in hand of getting the houses rebuilt before winter, will later give way to the more complex challenges of meeting the longer-term health and education needs of the community and broadening their economic base beyond the limits of subsistence farming. Provisional measures have already been taken to meet immediate needs. A small health post has been established and there are nurses and a teacher within the group of returnees. The return is supported by the Serbian Orthodox Church, who have been closely involved, as well as a number of Kosovo Serb and Yugoslav political figures. Their support however has tended to be characterised by political considerations, which do not necessarily contribute to practical progress in meeting the needs of the returnees.

84. There has been no change in the security of six Kosovo Serb women living in the Orthodox Church compound in the centre of **Gjakove/Djakovica**. KFOR has proposed a plan to ease them out of isolation through escorted visits to shops and walks around the neighbourhood. The hope is that the majority population will become accustomed to their presence and accept their participation in the community.
85. The few Serbs who remain in **Prizren town** continue to live in marked isolation from the rest of the local population. An estimated 100 individuals still live in town, some in their own homes close to the Orthodox seminary and a small number inside the seminary building. The constant and highly visible KFOR presence which has covered the seminary to date has been scaled back during this reporting period in an attempt to normalise the situation. KFOR do still maintain a permanent presence in close proximity to the seminary which appears to satisfy security needs and there are indications that the Kosovo Serbs are enjoying slight improvements in their freedom of movement, although this remains very localised as people are wary to move out of sight of the KFOR soldiers. The older Serbs are sometimes able to leave their houses to do shopping, but almost all their movements are under KFOR escort. A number of the Serbs in Prizren town left during this period because of the continuing harassment and intimidation. A handful of Croatian Serb refugees who had lived in a temporary community shelter for several years departed Kosovo during this reporting period, finally being able to repatriate.
86. In **Zhupa Valley**, there are five villages with small populations of Kosovo Serbs. In total, there are no more than 120 or so inhabitants, divided between **Planjan/Planjane**, **Lokvica**, **Bogosevce/Bogosevac**, **Drajciq/Drajcici** and **Mushnikove/Musnikovo**. Very limited return has taken place with one elderly couple returning home to Drajciq/Drajcici in May and other elderly couple returning to Mushnikove/Musnikovo in June. The inhabitants of Drajciq/Drajcici continue to express their fear of moving around freely and working in their fields, although the elderly couple who returned has been left undisturbed. Individual incidents occurred less regularly than during the previous periods, but a 24 May hand grenade attack directly targeted the home of the village representative in Mushnikove/Musnikovo. This is not the first time he has been subjected to such attacks and this latest incident occurred shortly after he attended a meeting in **Strpce/Shterpce** about return related issues. Thankfully no injuries were sustained and little damage was inflicted but such incidents continue to undermine the already battered confidence of the small Kosovo Serb community in this area. UNHCR organised a number of go-and-see activities over the summer months which allowed IDPs to visit their homes and attend to the graves of their loved ones in village cemeteries

87. In **Rahovec/Orahovac**, a recent assessment conducted by UNMIK, with the support of UNHCR, indicated a total Kosovo Serb population of 1,100, divided between the enclave in the upper part of the town (480 residents) and the neighbouring enclave of **Velika Hoca/Hoce e Madhe** (620 residents). Despite fluctuations in the overall population, as people come and go to Serbia proper, the overall figures have remained constant. This despite pessimism within the community over the difficult conditions they face, and frequent expressions of a desire to leave permanently. Serious security incidents have decreased but a series of arsons including, six in February, four at the end of March and one in April, alarmed the minority community. Most of these incidents directly affected Roma homes but the Kosovo Serbs equally feel the resulting insecurity. At the beginning of April, a Gorani shop was heavily damaged in an explosion caused by a hand grenade. Two rocket-propelled grenades hit **Velika Hoca/Hoce e Madhe** on Easter Monday. The Kosovo Serb community, perceived an improvement in their security following this incident as KFOR did not hesitate to respond with warning shots. From May onwards there has been no reported incident of inter-ethnic violence but the community remains on the alert nonetheless, doubtful of any major improvements in the short term.
88. Freedom of movement remains one of their primary concerns. KFOR policy on this issue became very restrictive during the summer months. No transport of minorities was permitted without a KFOR escort, even for very localised and short journeys. KFOR argued that the cost, in personnel and working time, precludes the provision of escorts on demand to small groups of people. Whilst these resource concerns are understandable, the result of this restriction has been to impose even more acute limitations on freedom of movement, which in turn directly impacts the ability to access employment attend meetings and participate in training and other initiatives. At the end of July, the municipality decided to attempt to address the problem through alternative measures. On the initiative of the Kosovo Albanian Chief Executive Officer, municipal officials started sending their own vehicles, without escort, to pick up the minority members of the municipal assembly and municipal committees and transport them to meetings. This shows a real commitment on both sides to find practical solutions in co-operation with each other. The Kosovo Albanians were ready to travel alone in a minority area, whilst the Kosovo Serbs travelled into town without a KFOR escort. For travel further afield a weekly bus service to Zvecan is maintained under UNMIK auspices. Towards the end of the reporting period KFOR took steps to improve overall security and enhance localised freedom of movement by modifying the existing security arrangements. The removal of certain physical barriers, combined with a shift from static to mobile patrolling appears to have had positive results. Anecdotal information suggests greater communication between the various communities than was previously the case.
89. While Kosovo Serbs form an absolute majority north of the Ibar river they constitute a minority in the whole of **Mitrovica/Mitrovica municipality**, and live in enclave situations in a number of locations in the southern part of the municipality. The current Kosovo Serb population of the village of **Svinjare/Fraseri i Madh** is estimated at around 300 persons but is subject to fluctuations as some people come and go on a regular basis. The village has been identified by the JCR as a potential return location. However, at present the Serb leaders have stated that considerable improvements in the security situation would be required before any sort of sustainable return could be achieved. In **Gorni Suvi Do/Suhodolli i Eperm**, the Kosovo Serb population remains a steady 150 or so and all continue to live in their own homes. Sixteen Kosovo Serbs live around the Orthodox Church in the south of Mitrovica/Mitrovica town. The community continues to receive 24-hour KFOR protection and lives under very difficult conditions, facing constant threats and people are able to move only with a KFOR escort. The opening of the Mitrovica/Mitrovica office of the Housing and Property Directorate (HPD) has permitted Kosovo Serbs to submit claims for the recovery of their property. The same service is available to Kosovo Albanians whose homes on the northern side of the city are still illegally occupied by Kosovo Serbs who prevent them from returning. The HPD has taken an inventory of illegally occupied Kosovo Serb apartments in the "three towers", three apartment buildings on the south side of the river Ibar in the Confidence Area but security concerns

have prevented any progress on the return of Kosovo Serbs. Nevertheless, the identification of property is a first step towards creating the conditions for return. Clarification of ownership rights will lay the groundwork for Kosovo Serbs and Kosovo Albanians alike to contemplate the feasibility of the choices that confront them; to try to recover and return to their homes or to rent/sell their properties.

90. The Kosovo Serb population in **Skenderaj/Srbica** municipality is limited to two villages and an Orthodox monastery. **Banja/Baje** had a pre-conflict population of 255 Kosovo Serbs and 44 Kosovo Albanians, currently reduced to 180 Kosovo Serbs and 28 Kosovo Albanians.¹⁰ 131 Kosovo Serbs now live in **Suva Grlo/Suhogerlle** of which 13 are IDPs from neighbouring villages. Nine Kosovo Serb nuns live in the **Monastery of Devic**. The site is under 24-hour KFOR protection. There has been some individual and spontaneous return of Kosovo Serbs to the enclaves, although the numbers to date have been small. In **Banja/Baje**, at the beginning of 2001 there were indications that between 10 and 13 families were considering returning. To date, only 2 families (7 persons) have in fact returned and these stated that their main motivation was simply that they could no longer maintain themselves in their locations of displacement. In addition, two elderly women returned from Serbia proper at the beginning of the summer. In **Suva Grlo/Suhogerlle**, one family of three members recently returned, but it is unclear whether they intend to stay permanently. This village remains the scene of constant conflict between its Kosovo Serb and Kosovo Albanian residents. A minor traffic incident in August sparked the latest round of violent protest. The situation has since quietened down again but violence could reoccur at the slightest provocation. Each community seems to be driven by the desire to obstruct inter-ethnic confidence to the maximum degree possible and the brave efforts of a limited number of individuals to develop more constructive inter-ethnic relations have been swept aside by the disruptive behaviour of agitators within the greater group.
91. Approximately 4,200 Kosovo Serbs reside in **Vushtrri/Vucitrin** municipality, divided between the villages of **Priluzje/Prilluzhe** (with the largest single concentration of population, comprising at least 3,000 of the overall estimated municipal total), **Grace/Grace**, **Gojbulja/Gojbuje**, **Miroce/Mirace**, **Slatina/Sllatine** and **Banjska/Banjske**. Their security situation is still serious, with freedom of movement very limited and heavily reliant on KFOR escorts. During this reporting period, KFOR removed several checkpoints and observation points despite community claims that existing coverage is insufficient. Individual security incidents have continued and internal political struggles, particularly in **Gojbulja/Gojbuje** and **Grace/Grace** add to already heightened tensions. Many Kosovo Serbs state that they only feel secure within the confines of their home villages and would not dare to venture further afield. Kosovo Serb residents have repeatedly expressed their intention to leave the villages of **Slatina/Sllatine** and **Miroce/Mirace** if the security situation does not improve. In both locations the population is very small and comprised mostly of elderly and vulnerable individuals who are easy prey for opportunistic attackers. In May 2001, for example, the house of a village leader, in **Miroce/Mirace**, was shot at 40 times but nobody was identified or arrested for this crime. Although no major incidents occurred in the area of **Slatina/Sllatine**, continuous provocations and threats by Kosovo Albanian children and youths passing through the village have been reported. At the beginning of the summer two uninhabited houses located in the center of the village were looted. The Kosovo Serb community is also facing the problem of their complete inability to access their land for fear of being attacked, which directly impacts on their ability to sustain themselves. Basic freedom of movement is facilitated by a special busline, which covers all the Serb enclaves four times a week, excluding **Priluzje/Prilluzhe**, which is on the railway between **Zvecan** and **Fushe Kosove/Kosovo Polje**. Train and bus services experienced frequent and prolonged suspensions during February and March 2000 for a combination of security and technical reasons. When operational they periodically the target of stone throwing.

¹⁰ The discrepancy with the previous report (204 Kosovo Serbs) is due to the fact that at the time it was believed that this was the total number of Kosovo Serbs whilst in reality it also included the Kosovo Albanian population

Roma, Ashkaelia and Egyptians¹¹

92. In previous reports we have stressed the fact that it is impossible to speak in terms of a homogenous Roma population in Kosovo. The existence of other groups, such as Ashkaelia and Egyptians, who share certain traits in common with the Roma, but otherwise insisting on a separate "ethnic" identity, necessitates a specific approach. This should be sensitive enough to recognise the individual and community right to self-identification and practical enough to maintain a degree of common sense when it comes to pursuing activities in support of each community. The approach of the international community to date, as evidenced by the Platform for Joint Action, has been to consider the Roma, Ashkaelia and Egyptians as one self-contained group by virtue of the fact that they face many common problems. This approach however, is driven by practicality and is not intended to denigrate the individual identity of any member of the constituent group.
93. For ease of reference we have included, as a footnote below, extensive background information drawn from previous reports as guidance for readers not familiar with the commonly used terminology. In the text that follows we use the somewhat artificial term, RAE when referring to issues affecting all three populations but otherwise specify the particular population to which we are referring at any given location. Our guiding principle throughout has been a desire to respect the desires of each community as to how they wish to be identified. It should be additionally noted that many communities living in close proximity to Kosovo Albanians, insist on identified themselves as Kosovo Albanian, even where there are clear distinguishing factors such as separate - and often inferior - housing, segregated schooling and various other forms of social exclusion. Many communities consider alignment with their majority neighbours to be a crucial factor in

¹¹ In previous reports we have tended to use the term Roma as an all-inclusive one whilst at the same time recognising the existence of distinct communities within the population generically referred to as Roma. In this report we have re-titled this section under the heading of Roma, Ashkaelia and Egyptians (RAE), adhering, as appropriate, to the name each group prefers to ascribe to itself. For ease of reference we repeat here some general background information on each group by way of guidance for new readers who may not be familiar with the complex and often baffling issue of ethnic identity among the Roma, Ashkaelia and Egyptians of Kosovo (see footnote # 5 at page 10 of the Second Assessment of the Situation of Ethnic Minorities in Kosovo, Sept. 1999). We would like to point out however, that identification as Roma, Ashkaelia or Egyptian is not necessarily determined by easily discernible characteristics or cultural traits (e.g. language, religion, costume, etc.) but rather by a process of self-identification. It is not uncommon for persons in Kosovo to change their "ethnicity" depending on the demands and pressures of local circumstances. A recent example of this has been the emergency of "Magup" in and around the Klinë and Istog areas of western Kosovo. Magup is a commonly used but often derogatory term, akin to the use of the word gypsy in English, but in this example has been voluntarily appropriated by certain communities to distinguish them from any of the other recognised groups. Security concerns are often a driving factor but changes may also occur as a result of personal preference, political interest or anticipation of personal and/or community gains. The term Roma is most frequently used in reference to the so-called "ethnic Roma" who clearly define themselves as Roma and who use Romany as their mother tongue, although also conversant or fluent in Albanian and/or Serbian. The Roma have a proud cultural tradition and maintain links with Roma throughout the Balkans region and further afield. By contrast the Ashkaelia, who are predominantly Albanian speakers but equally conversant in Serbian, have always tended to live in close proximity to Kosovo Albanians and consider themselves to be Albanians. In spite of this self-identification, they are nevertheless treated as different by the ethnic Albanians, who do not recognise them as members of their own ethnic group. The Egyptians distinguish themselves from both the Roma and the Ashkaelia, despite the fact that some observers consider them to be indistinguishable from Ashkaelia, largely on the basis that both groups claim Albanian as their mother tongue. The Egyptians themselves however, insist that they are a distinct group tracing their origins back to Egypt. It is thought that their ancestors may have settled temporarily in Egypt en route to locations in Europe during the Middle Ages. It should be noted that while the term gipsy/gypsy is generally considered to be a corruption of the word Egyptian it does not confirm any concrete evidence of Egyptian origins but rather reflects a tendency in Europe at that time to label many things foreign as "Egyptian". Whatever their origins, a separate identity was fostered by the Belgrade regime for Egyptians and Roma, in an attempt to portray Kosovo as a multi-ethnic society, playing down the numerical importance of the Kosovo Albanian majority. Similar to Ashkaelia, Egyptian communities are frequently found in close proximity to Kosovo Albanians and claim a common heritage and culture based on their use of the Albanian language. Even though they may enjoy a relatively high degree of tolerance and acceptance, like Ashkaelia, they are not considered by Kosovo Albanians to be their immediate kin. Roma, Ashkaelia and Egyptians, like many other groups in the Balkans have undergone a process of assimilation the degree and impact of which is affected by complex historical, political and cultural factors. Each group has tended to take on, to differing levels, some of the main characteristics of the dominant population in closest proximity to them. In this way Ashkaelia and Egyptians generally adhere to the Muslim faith and almost always consider Albanian to be their mother tongue. Muslim, Catholic and Orthodox Roma can all be found in Kosovo, although many if not all of the latter have fled since the 1999 conflict as they were perceived to have close ties to the previous Serb regime. With reference to language many Roma while considering Romany as their mother tongue, frequently speak a number of other languages as well. Multi-lingualism is very common in the Balkans making the determination of mother tongue a difficult task and an inconclusive indicator of ethnicity.

maintaining the delicate status quo of non-violent co-existence that they have managed to achieve to date. UNHCR and OSCE do not consider it appropriate under any circumstances to challenge instances of self-identification and as such we have used the ethnic identity preferred by each community in this report. We are conscious that this may result in discrepancies with previous reports as some communities opt to change their "ethnicity". Overall it undoubtedly results in an underestimation of the number of Roma, Ashkaelia and Egyptians living in Kosovo as many communities prefer to identify themselves as Albanian

94. Roma, Ashkaelia and Egyptians face general problems of discrimination, harassment and social exclusion. The frequency and severity of incidents targeting each community varies dramatically from one place to another. A complex mix of local and regional factors, both recent and historic, shape and influence patterns of violence. While RAE communities overall can be said to have experienced improvements, as compared to the situation of late 1999, their security remains volatile and incidents of acute violence, including arson, grenade attacks, assaults and intimidation continue to be perpetrated against them. The only apparent motivation in many cases appears to be ethnicity. One benchmark of improvement, real or perceived, is the issue of freedom of movement. Many communities assert that their improved freedom of movement is indicative of their general acceptance into the mainstream of Kosovo society. On closer examination however it is clear that for many, freedom of movement continues to be limited to circumscribed areas determined by localised factors. As a result there are dramatic variations in the ability of each community to exercise their right of freedom of movement. Overall their fluency in Albanian is a factor which increases the mobility of Ashkaelia and Egyptians, but even that mobility is relative, sometimes limited to a particular neighbourhood, other times extending to include a cluster of villages or even an entire municipality. Movement between adjacent municipalities is also on the increase as Ashkaelia and Egyptians venture further afield in search of casual labour to sustain their families. Roma in contrast are frequently confined to enclave like situations, reliant on special transport services. All three communities face varying degrees of fear when it comes to travel to urban areas, especially to Prishtina/Pristina which to all intents and purposes remains a no-go area for many RAE. Regrettably, it has been noted that blatant racism based on skin colour continues to be a factor adversely affecting the security of many RAE. The more dark skinned members of each community, regardless of their language or other cultural affinities, are frequently singled out for harassment and intimidation.
95. In urban Prishtine/Pristina, the residual RAE population remains very small. Despite previously expressed optimism on the part of community leaders that gradual improvements in the security situation would ultimately lead to return, apart from a few isolated cases, there are no indications that return of any consequence has taken place. Freedom of movement within the city remains non-existent for many, especially for those perceived to be Roma simply on the basis of their physical appearance. It has been noted however that RAE are more frequently seen on the streets of Prishtine/Pristina, venturing into the city to take advantage of casual labour opportunities in the construction industry. RAE labourers accept lower wages than Kosovo Albanians do and their presence may therefore be tolerated out of economic necessity. While it is recognised that increased access to the labour market (albeit transient labour only) is a positive step, this development has to be seen in context and it is not anticipated that this is the forerunner to large-scale return. RAE from outside of Prishtine/Pristina repeatedly refer to their fears of visiting the city, for any reason, in case they might be singled out and violently attacked. Verbal insults and harassment appear not to concern the RAE so much, a sad reflection of the fact that such behaviour is so ingrained as to be considered "normal".
96. Although Albanian speaking Ashkaelia constitute the bulk of the remaining RAE population within the city, it has proved impossible to obtain clear indications of the numbers, as many insist on being identified as ethnic Albanians. A handful of families are known and assisted under special projects attending to the needs of those housebound by fear. Otherwise the Ashkaelia population, numbering no more than a few hundred, survives largely on its own initiative, taking advantage of any available opportunity to find

casual work and adjusting their lifestyle in accordance with the pervading security threat. Thus while most are not housebound and guarded in the same way as the residual Kosovo Serb population, many have opted to limit their activities in order to minimise the risk of attack. This results in an uneasy status quo within the city where many non-Albanians suppress their own identity in a constant attempt to "fit in". One encouraging sign during the course of the reporting period has been an ongoing project to rebuild a small number of homes in the Vranjevac area of town. Previously inhabited by a large Ashkaelia population, this neighbourhood currently bears the scars of destruction and displacement. Many of the original Ashkaelia residents fled in 1999, fearful for their lives. Those of their properties not destroyed were quickly appropriated by Kosovo Albanians, displaced by the destruction of their own homes in other parts of Kosovo. Despite residual security concerns and ongoing illegal occupation of Ashkaelia homes, the reconstruction stage of this initiative is close to completion. After a year of careful preparations and cautious contacts slowly building up confidence between the respective communities, the Ashkaelia, currently displaced to Plementine/Plementina IDP camp, have been on site on a daily basis throughout the summer, rebuilding their homes with the help of reconstruction NGOs. Completion of the houses will mark the first step in the longer process of re-integration. After more than two years of internal displacement the Ashkaelia are eager to return home but anxious about outstanding problems of security, freedom of movement, access to services and crucially, employment prospects in such a segregated city.

97. In the greater area of Prishtine/**Pristine municipality**, pockets of Roma population can still be found at a number of locations. Previous estimates of between 600 and 800 persons are believed to remain unchanged, although again, it has proved impossible to obtain clear figures due to community desires to remain low key. Roma communities in the area are most commonly found living in enclave situations, alongside Kosovo Serbs in **Gracanica/Ulpijana, Caglavica/Caglavice, Preoce/Peroc, Lapje Sello/Fshati Llap** and other locations. The Roma face the same type of security concerns as their Serb neighbours and their freedom of movement is equally curtailed.
98. **Podujeve/Podujevo town, suburbs and surrounding villages**, is home to a considerable number of Ashkaelia. The population has remained stable with few incidents of displacement and/or return. Approximately 1,000 Ashkaelia are thought to live in the municipality, the vast bulk of these in the town with smaller numbers scattered around outlying villages. A local NGO, Democratic Hope, under the direction of Ashkaelia, has been instrumental in fostering a positive image of the community and providing much needed support in the form of vocational education initiatives and as yet unrealised plans to create new jobs in a number of localised projects, including an abattoir which is still under construction. The overall security situation for Ashkaelia is calm but freedom of movement beyond Podujeve/Podujevo municipality is still a problem.
99. The anticipated return of eight families to **Batlava village** remains problematic. After a year of hard work, involving a complex array of local and international actors, the Ashkaelia have managed to reconstruct the basic shell of their former homes. The surrounding community has generally accepted them. However, despite these positive indicators the group remain scarred by their previous experiences and have found themselves struggling against the odds to finalise their homes and definitively return to the village. Economic and social problems continue to hamper their full participation in community life as they live in a state of flux, unable to take the step of full return but rather maintaining strong links with the large Ashkaelia community in Fushe Kosove/Kosovo Polje, where they have lived as IDPs since fleeing their village in 1999. The experience gained in Batlava is a sobering reminder of the complexity of minority return. The physical reconstruction of houses appears a relatively easy challenge, when compared with the deep-seated barriers that have to be overcome to ensure sustainable integration over the longer term. In a society such as Kosovo, still reeling from the impact of war, such barriers are not so easily overcome.
100. **Fushe Kosove/Kosovo Polje** is notable for its large concentration of Ashkaelia, with as many as 3,000 persons making up a strong and vibrant community. The community

continues to host an undetermined number of Ashkaelia displaced from other locations around Kosovo and more recently has been the destination of increased return of refugees from FYROM. Overall however movements in and out of the community are not believed to have been so substantial as to dramatically change population figures. Nevertheless population estimates do vary dramatically depending on the sources. We have attempted to assess the general credibility of competing claims and by reference to the variety of conflicting information available, previous estimates of 2,500 are now increased to 3,000. The increase reflects small-scale return movements that have occurred over the course of the past year and incorporates new information from community leaders that corrects previous under-estimations. The overall security situation has stayed calm and very few incidents targeting Ashkaelia have been reported. This stability is however maintained at a price. The Ashkaelia have adapted their lifestyle to suit the harsh realities of Kosovo. Whilst enjoying freedom of movement within their immediate environs, most would not dare to venture to Prishtine/Pristina, a mere 15 minute bus ride away. This restriction places severe limitations on the ability of the community to find employment and otherwise integrate into mainstream life. External intervention has been required to meet some basic community needs, as for example, the installation of an improvised health point housed in two containers donated by UNHCR and serviced by the municipality. Many Ashkaelia did not have access to local services, unable and/or unwilling to attend the nearby ambulanta, staffed exclusively by Kosovo Serbs and prevented by fear from travelling to Prishtine/Pristina to obtain medical care, as most local Kosovo Albanians do. Employment prospects are limited to casual labour in agriculture or reconstruction which offers the Ashkaelia men the possibility of a small daily income, albeit for short and unpredictable periods of time. Otherwise many families remain dependent on social assistance and various forms of humanitarian aid.

101. On a more positive note, and thanks to the concerted efforts of local and international NGOs who have offered the possibility of catch-up classes, the integration of a growing number of Ashkaelia children into the local schools offers a ray of hope for the future. Whilst encouraging, it would be naive to expect that this factor alone can be sufficient to change the prejudices of the greater society. The discovery, in late June, of a hand-grenade, recently placed at the location where Ashkaelia children and youths undertake their catch-up classes is a clear reminder that not everyone in Kosovo is happy to see the various communities progress and integrate. Despite the success of this education initiative the longer term benefits are tempered by the reality that many parents are disillusioned and remain unconvinced of the value of education. Not all of the pupils will continue their studies in the future.
102. Less than 100 persons, Roma and Ashkaelia combined is believed to remain in **Obiliq/Obilic town**. Some of the original inhabitants however, can be found close by, still living in the IDP settlement in **Plementine/Plementina**. The barracks complex is home to an estimated 700 persons. The majority of them are RAE who were displaced in the summer of 1999 by the wave of violence that swept over their communities, as hundreds of thousands of displaced Kosovo Albanians returned. A small number of the barracks residents are Kosovo Serbs and Serb refugees from Croatia and Bosnia. UNHCR continues to pursue the possibility of return to their home communities as a durable solution for the RAE currently in Plementine/Plementina barracks. Results have been mixed. A number of families have successfully returned to Fushe Kosove/Kosovo Polje and as mentioned previously one group is anticipated to return to urban Pristina before the winter. Others however, including those from Obiliq/Obilic have not managed to progress beyond some very tentative and preliminary go-and-see visits, with actual return still only a distant possibility. The barracks are located close to **Plementine/Plementina village**, which is home to some 400 or so Roma and a large number of Kosovo Serbs. Proximity to the village and a nearby KFOR base has, to some degree, guaranteed the security of the barracks residents, without the need for a highly visible military presence directed towards the site itself. Freedom of movement is, however, severely curtailed and many of the IDPs are hesitant to travel far from the camp without special security escorts. Increased travel to Fushe Kosove/Kosovo Polje on secondary roads has been noted. Prishtine/Pristina is close by but not accessible. Security concerns for both the camp and the residents of the village have been heightened by fears that the construction of a

nearby bridge, with KFOR assistance, will result in much more frequent transit by Kosovo Albanians from surrounding areas.

103. The best estimate for Roma and Ashkaelia populations remaining in **Lipjan/Lipljan** is considered to be between 1,600 and 1,700. The increase over previous reporting periods is not attributed to return but rather to more precise information gathering. An estimated 400 to 500 persons are believed to live in the town itself, down from previous estimates of 600. The rest are distributed between a number of villages including; **Janjevo/Janjeve**, with estimated population of 200 to 300 living alongside ethnic Croats and Albanians; **Medvece/Medvec**, a mixed village with an estimated population of 350 RAE. Ashkaelia children from this community have reaped the benefits of a very successful and well received education catch-up initiative organised by an international NGO; **Vrelo/Vershec**, with an estimated RAE population of 120, including some Ashkaelia displaced from the neighbouring village of Magura; **Gadimje**, with an estimated population of approximately 300 RAE, who enjoy a high degree of integration with their neighbours and **Mali Alas/Hallac I Vogel**, with an estimated population of 180 Ashkaelia. KFOR reports that the current levels of violence in Lipjan/Lipljan municipality are at their lowest, since they started recording incidents upon their deployment in mid-1999. Roma and Ashkaelia along with other residents have benefited from this gradual stabilisation but have nonetheless continued to be the target of apparent ethnically motivated attacks. For example, the discovery in late July of two freshly laid mines in a field owned and worked by Ashkaelia from Mali Alas/Hallac I Vogel stunned the community. More recently still a hand grenade attack on an Ashkaelia home during the last week of August was reminiscent of the intense violence suffered by this community during past reporting periods. A series of booby-trapped explosive attack skilled and maimed a number of Ashkaelia in the late summer of 2001. The intervening period had seen little evidence of direct attack and the community was lulled into a sense of security that was badly shaken by recent incidents. RAE displacement within Lipjan/Lipljan municipality has been complex and protracted. Some Ashkaelia and Roma remain in, or close to, their original homes, others are currently living in Plementine/Plementina barracks and others still remain in displacement in FYROM and further afield. Efforts to foster return have drawn mixed reactions. A number of go-and-see visits have taken place with the support and involvement of local actors. One, to Magura in July, was considered quite positive in contrast to a number of efforts to rebuild confidence between the Ashkaelia of Mala Dobranja/Dobraje e Vogel and their Kosovo Albanian neighbours which have ended in humiliation for the Ashkaelia. Despite prior consultation with local people, on two occasions Ashkaelia visitors to the village were not welcomed by their former neighbours who refused even to greet them. The return to urban Lipjan/Lipljan of one Ashkaelia family resulted in the Ashkaelia community leader being threatened by Kosovo Albanians.
104. The Roma population in **Mitrovice/Mitrovice** is basically limited to 280 displaced persons, living in temporary accommodation on the northern side of the river. There has been no noticeable progress vis-a-vis the possibility of return to the completely destroyed Roma quarter on the south bank of the river. UNHCR has facilitated a number of go-and-see visits which have permitted hesitant contacts between the Roma and their Kosovo Albanian neighbours. Although a lot of efforts have been made in support of return the general feeling of KFOR, remains that security considerations in this very tense and divided city preclude the prospects for return in the immediate future. A negligible number of Roma and Ashkaelia families live in private accommodation on the north side of the river in private accommodation and a small Ashkaelia population numbering between 170 to 230 persons can be found south of the river. Previous estimates had fixed this community towards the lower end of the scale and while there has been no evidence of any return figures are now thought to be slightly higher. This is partly due to the fact that this, Albanian-speaking community, is experiencing a growing confidence in their own identity. The men however, continue to report constant harassment and state that only the female members of the community can move relatively unhindered to the market and other public locations.
105. A collective centre in **Leposavic/Leposaviq** accommodates an estimated 190 persons, displaced from their original homes in various locations around Kosovo. While this group

was previously reported to include Egyptians and Ashkaelia, practically all now identify themselves as Roma in the apparent belief that this will win them greater acceptance from the surrounding Kosovo Serbs. While there have been no major security problems, integration as such, is rather limited and superficial. For example, despite the fact that the IDP children are expected to attend the local school during the current cycle, the municipal authorities have repeatedly blocked UNHCR efforts to improve living conditions at the centre, which is a converted warehouse, arguing that the IDPs should return home. While nobody disputes the overarching objective of helping the IDPs to go home it is unreasonable to deny the possibility of an immediate improvement in their squalid living conditions, on the basis of an unspecified expectation of return.

106. Yet another collective centre, in **Zvecan** houses an estimated 180 Roma. The site, at Zitkovac, previously housed a greater number but most were relocated to collective accommodation in urban Mitrovica/Mitrovica during 1999/2000. There were no plans to maintain a collective centre at Zitkovac after this transfer. However, with upwards of 150 persons still living there and under tents at the onset of last winter, UNHCR was obliged to provide a temporary solution in the form of prefab housing. Return prospects for this group are very limited and what was intended as a temporary accommodation solution may prove to be a longer-term necessity as displacement is protracted.
107. The Ashkaelia population of **Vushtrri/Vucitrn** has remained stable at around 130 persons. An uneasy status quo has been achieved characterised by a reduction in the number and severity of attacks but the overall security situation continues to be tense and is periodically punctuated by violent incidents such as a grenade attack in June, targeting the same family for a sixth time. Hopes that a large group numbering upwards of 50 families would return from displacement in Vojvodina were not realised but considerable progress was made in forging stronger links between the remaining and the displaced members of the community. The IDP group was visited by a delegation of UNHCR staff and Kosovo Albanian human rights activists in July 2001, paving the way for a go-and-see visit to Vushtrri/Vucitrn by the IDPs. Following this visit they decided that the time is not yet ripe for large scale return but they were encouraged by the positive support of the local Kosovo Albanian community, including the adoption, in June 2001, of a municipal assembly motion in support of their return which won the almost unanimous approval of assembly members.
108. In **Skenderaj/Srbica municipality**, the murder of 4 Ashkaelia returnees in November, 2000, continued to overshadow inter-ethnic relations in this area. While a residual population of Ashkaelia is known to remain in a number of villages, most insist on being identified as Albanians and are fearful of drawing attention to themselves as a minority community. Hopes that overall population figures would be bolstered by return were shattered by the Dashevc murders. Relatives of the murdered men remain in Kosovo as displaced persons. They have been joined by other family members who returned to Kosovo from abroad in the interim period, but there is no expectation that they can return to their home village. They seem resigned to the fact that return is at present impossible and have focussed on selling their land and recovering what little remains of their movable property, in order to try to generate funds to maintain themselves in displacement.
109. In **Ferizaj/Urosevac** the Ashkaelia population is currently estimated at approximately 3,000 persons. This represents a considerable decrease compared to the number of 4,200 previously reported. Since no significant departures were noted, the most reasonable explanation for the sharp drop is the availability of more precise data. Community leaders admitted that population estimates previously provided often included displaced persons currently absent but who are hoping to return. An additional factor explaining the apparent drop in figures is the fact that a certain part of the population prefers to identify themselves as Albanian. This in spite of the fact that Ferizaj/Urosevac is essentially the hometown of the Ashkaelia Albanian Democratic

Party, the president of which is from Dubrava.¹² Even with the readjustment of figures, there is a strong physical presence of Ashkaelia in three locations within urban Ferizaj/Urosevac and the neighbouring village of Dubrava/Lisnaje. No large-scale population movements have been noted, with the exception of an influx of 150 Ashkaelia refugees from FYROM during the summer months. At this point most of these have returned to their homes in FYROM. The overall security situation for Ashkaelia is reported as being stable but low level harassment remains an every day occurrence, for example, Albanian and Ashkaelia waiting for casual labour do so on different sides of the street and those Ashkaelia selected often have to run the gauntlet of verbal abuse from the Kosovo Albanians who have been overlooked. On 14 June an attempted murder was reported in Dubrava after a Kosovo Albanian man allegedly entered the home of an Ashkaelia family and stabbed one of the occupants.

110. The small residual population of Roma in **Ferizaj/Urosevac** continues to dwindle and is now estimated at only 200 persons. The Roma report constant harassment and enforced isolation not only from local Kosovo Albanians, but also from the Ashkaelia, who hold them responsible for any security problems that occur.
111. In **Gjilan/Gnjilane town** the current Roma population is estimated at 320 persons. Whilst this has not decreased notably since the previous report it should be remembered that the pre-conflict population numbered several thousands and those few who remain, feel an ever increasing sense of isolation and desperation. Small-scale return prompted by slight improvements in security has been offset by a roughly equivalent number of departures by those who simply see no long-term future for this decimated community. Hopes that an increased number of Roma homes, recently vacated by ethnic Albanians returning to southern Serbia, would serve as a catalyst for return failed to materialise. Indeed, it became clear that the occupying IDPs intended to keep a foothold on the property as a safeguard against their possible displacement again in the future. An upsurge in violence occurring immediately after the return of three Roma families from FYROM gave further cause for concern. On the whole however, the Gjilan/Gnjilane community has seen an improvement in their day to day living conditions, with some progress on freedom of movement and a sharp decline in the number and frequency of violent incidents. Sadly, however, it appears that the community is trapped by circumstances and having endured very difficult circumstances over the past 10 years to attain the current fragile status quo, they cannot hope to see further major improvements in the short term. Stability is constantly under threat and the community can be easily threatened by individual incidents. A recent assault on a Roma woman close to an election registration centre shocked the community, as did, what they perceived to be, the subsequently unbalanced and openly racist reporting of the incident in the local press. The local leader, who struggled for the past two years to improve the conditions of his community, died of natural causes at the beginning of September leaving the population nervous and uncertain of their future.
112. Other locations in the **eastern Kosovo region**, which still house have small Roma communities, have seen little change since the previous reports. Population figures remain roughly the same and despite some limited progress on increased inter-action between communities and some tentative go-and-see visits, major improvements are not anticipated in the short-term. No more than 100 Roma in total are believed to remain in the entire municipality of **Viti/Vitina**. There are fewer still in **Novoborde/Novo Brdo** and **Strpce/Shterpce**, and **Kamenice/Kamenica town** with an estimated total of 450 persons divided between the town and a number of villages across the municipality, represents the largest grouping. While the residual Roma population in this region has not complained of any overt incidents of violence directed at their communities they are fearful that constant and unrelenting harassment, coupled with an overwhelming sense of isolation, will ultimately drive more people out and result in the disappearance of those few communities that have held on so far. In some locations life is simply becoming intolerable. For example, one Roma family who managed to keep a small business going

¹² It should be noted that the party failed to win a seat locally in the 28 October municipal elections. It seems that the bulk of the local Ashkaelia population did not vote on the basis of allegiance with their own ethnic group but rather opted to support one or other of the leading Kosovo Albanian parties.

reported that although they do still have Kosovo Albanian customers, this is increasingly an abusive and exploitative relationship as many simply refuse to pay and threaten violence if the family make any attempt to recover the money due to them.

113. Numbers of Ashkaelia in **Shtime/Stimlje** town have remained stable and are estimated at around 400 persons. No major security problems have been reported. In contrast a smaller group of Roma, estimated at not more than 40 persons, all members of the same extended family, has continued to be the subject of violent attack. After several months of relative calm the family was again subjected to a hand-grenade attack in early August, resulting in the hospitalisation of two members of the household. At the time of the attack the family was temporarily hosting some friends and relatives recently arrived from FYROM, fleeing the violence in their own communities. An additional 180 or so RAE live in other locations around the municipality.
114. In **Prizren** the Roma population remains relatively unaffected by violence and displacement. Current estimates indicate that the figure of 4,500 individuals scattered among different neighbourhoods, remains accurate. Despite the relative stability a number of violent incidents has been noted, including the use of hand-grenades. These developments have proved disturbing to local residents otherwise accustomed to a peaceful day to day existence. Increasingly the Roma in Prizren identify freedom of movement limitations and socio-economic exclusion as a threat to the continued stability of their community. Despite these growing worries the community remains strong. On 13 August, the foundation stone for a new Cultural was laid. When completed, this facility will offer increased social opportunities to the entire community. The ceremony was attended by Roma from different locations around Kosovo, participating alongside leading Kosovo Albanian figures, including Mr. Adem Demaci and the Roman Catholic Bishop.
115. Both Roma and Egyptians live in **Rahovec/Orahovac**. Improvements in daily living conditions have been reported, such as increased freedom of movement within the immediate confines of the town, as reported above with reference to their Kosovo Serb neighbours. The reporting period has nonetheless been plagued by continued reports of arson and hand-grenade attacks. The current population is estimated to stand at around 340 persons. While this represents a drop from the previously reported estimate of 450 it is not believed that there has been large-scale departures. The population figures are constantly fluctuating since persons leave temporarily only to return again within weeks or months. This is particularly so during the summer months with people availing of the opportunity to visit family members outside of Kosovo or even at other locations within Kosovo. This apparent decrease may therefore prove nothing more than a seasonal variation. However, a trickle of ongoing small-scale permanent departure can not be excluded, as people become increasingly frustrated by the lack of serious improvements in their living conditions over the past two years.
116. In **Decan/Decani municipality** the combined population of Roma and Egyptians is estimated to remain between 350 to 400 persons. Most who identify themselves as Egyptian report slow but gradual improvements in their living conditions, especially with respect to freedom of movement. Despite these encouraging signs local Egyptian leaders still state that large numbers of their communities displaced during the conflict are unlikely to return in the short term. Many homes are still badly damaged and that the necessary reconstruction assistance, that could prompt the owners to return and restart their lives has not been readily available to date.
117. In **Gjakove/Djakovica municipality** overall numbers of Roma and Egyptians that remain have been revised downwards from the previous estimate of 6,700 to a current one of only 5,300. In Gjakove/Djakovica town alone a downward adjustment of 800 persons was noted after community leaders informed that they had included those displaced abroad in their previous estimates. The current figures are not therefore thought to reveal a major decrease in population but rather more realistic estimates of the numbers who remain. It should be noted however that the entire area has been badly affected by displacement and with cross boundary movement to and from Montenegro and Serbia, a common feature, population figures should be considered as rough guess estimations only. An

additional reason for the lower numbers may be the common phenomenon of self-identification as Albanian, which occurs even within those communities who profess good relations with their Kosovo Albanian neighbours.

118. **Peje/Pec municipality** is home to an estimated 2,000 Roma and Egyptians. The majority declare themselves as Egyptians and are concentrated in and around the urban area, although scattered pockets of both Roma and Egyptians can be found in numerous villages. Peje/Pec has continued to be the focus of attention for a lot of cross boundary go-and-see and go-and-inform visits linking the IDPs in Montenegro to their villages of origin. While this is believed to have contributed to increasing confidence, concrete achievements in terms of return are still a long way off. Illegal occupation, destruction of property and general exclusion and isolation are cited by the IDPs as reasons for their continued reluctance to risk return to Kosovo at this time.
119. Estimates for the number of Roma and Egyptians remaining in **Kline/Klina** and **Istog/Istok** municipalities have fluctuated since previous reports. Totals of not more than 1,000 persons for each municipality have been revised to upwards of 1,600 in Istog/Istok, as compared with a relatively stable figure of 950 for Kline/Klina. The emergence of Magup, as a distinct ethnic identity, in both of these municipalities has had a direct bearing on the credibility of population estimates as some persons have changed their ethnic allegiances since last reported and some may be counted twice. This highly complicated scenario reflects the kind of pressures felt by some minority communities, too traumatised to declare their identities publicly, or alternatively, making a deliberate attempt to distance themselves from those groups considered undesirable by the majority. In part the experience in Kline/Klina and Istog/Istok is also indicative of communities tiring of intra-ethnic tensions and manipulation and wishing to set themselves apart from this. When gathering information for this report, UNHCR and OSCE queries as to ethnicity were often answered with a heartfelt, "Which one is it best to be?"

Muslim Slavs

120. Use of the term "Muslim Slav" has become problematic. Originally intended to denote nothing more than a follower of the Muslim faith who speaks a Slav based language, the term is now perceived as derogatory for a variety of reasons. Some reject the association with the previous census category of Muslim. Others resent being considered as Slav due to the association with Serbs, the dominant Slav group in the region. Others still, object to their language being reduced to the lowest common denominator of Slavic, rather than being recognised as separate and individual. As stated in previous reports Muslim Slavs variously describe themselves as Bosnians, Bosniaks, Torbesh or simply Muslim. There is no general agreement on the most acceptable term and for reasons of practicality we have retained the generic title Muslim Slavs as it would be impossible to report separately under each of the various titles, some of which are used inter-changeably in certain areas. Similar to the use of the term RAE we do not intend to denigrate any particular group or deny them their own identity. To the degree possible we have used the name preferred by the community under discussion at a given location. We hope in this way to draw out the problems common to Muslim Slavs as a whole whilst providing sufficiently specific details to differentiate as necessary, experiences from one location to another.
121. One problem commonly repeatedly raised by many remaining Muslim Slav communities is reduced access to education in their own language. Parents are reluctant to have their children follow the official curriculum in Albanian variously citing security concerns or the simple fact that since their children do not speak sufficiently fluent Albanian their education will be adversely affected by an abrupt change to a new language. Many parents do not necessarily object to the principle of their children learning Albanian. In fact they recognised the benefits of this in order to facilitate future prospects in the job market. However, they draw the line at abandoning their own language and demand access to education in Bosniak, insisting that Serbian is not an appropriate alternative, despite the arguable close similarities. While UNMIK fully recognise the right to mother tongue education, there are practical difficulties in several locations where the number of

potential Bosniak students does not meet the required quota for hiring of additional staff. This problem is compounded by a lack of well-qualified teachers. Ad hoc solutions are being pursued, such as, providing transport to existing schools offering instruction in Bosniak. When considering their longer-term future in Kosovo, many parents identify inadequate education facilities as a factor that would prompt them to leave. They state that they are unwilling to sacrifice their childrens' future.

122. There is still a Muslim Slav (Bosniak) community in **urban Prishtine/Pristina** whose numbers are believed to be in steady decline since 1999. Community leaders insist that numbers continue to drop but are unable to provide clear and concise figures. It is estimated (based on a consolidation of figures from various sources) that approximately 1,000 Bosniaks remain in the city. Language difficulties, coupled with an increasing sense of isolation, often aggravated by low-level intimidation, continue to be factors leading more Bosniaks to leave. A Bosniak woman was seriously injured in the bomb explosion that occurred in Prishtine/Pristina in mid-April.
123. The Muslim Slav community in **Mitrovice/Mitrovica** has remained stable of late and is estimated at somewhere between 2,000 and 3,000 persons. Community leaders insist that there are at least 1,500 persons on each side of the river but other actors feel that a total figure of 2,000 is more accurate. Whatever the current estimates the population has clearly fallen far below the pre-conflict estimates of 6,000 persons. Community leaders optimism in early return has failed to materialise. Despite some evidence of self-organised go-and-see visits there is little to indicate that many Bosniaks have returned to the city. On the contrary it is more likely that there have been ongoing small-scale departures. Bosniaks living north of the river have been placed in an ever more volatile situation as the overall numbers of Kosovo Albanians have declined, leaving the Bosniaks even more exposed to inter-ethnic intimidation. On the southern side of the town the overall security situation for Bosniaks is comparably better but at best it can be said that they are tolerated rather than fully accepted by other ethnic groups. Their language is a constant reminder of their Slav heritage and one that can put them at risk of harassment, intimidation and even attack. In the greater Mitrovice/Mitrovica area a very small Muslim Slav community numbering an estimated 150 persons can be found in Leposavic. This is greatly reduced from pre-conflict numbers of up to 1,000, cited by community leaders. The community reports that many of their members have moved to Novi Pazar for security and employment reasons.
124. The **Prizren area** is still home to a substantial number of Muslim Slavs, variously called Bosniaks, Torbesh or simply Muslims (Gorani are dealt with separately). Between the urban area and a number of villages spread out across the Zhupa valley, numbers are still estimated to be as high as 25,000. This is in spite of ongoing population movements and continued complaints from the communities themselves that their prolonged isolation will ultimately be a factor leading to their permanent departure. There are recurrent reports of increased use of the Bosniak language in public places. However, an equal number of reports suggest that usage is just as often limited for fear of adverse reaction from the majority population. Muslim Slav villages in the Zhupa valley hosted a considerable number of ethnic Albanians who fled FYROM between March and May, 2001. The additional burden placed on the communities and the underlying risk of increased inter-ethnic tensions were a constant worry but to date no serious incidents have been reported. A proportion of the original influx was relocated to Prizren by UNHCR to ease the burden on the Muslim Slav villages. At this point an additional number have returned so the situation is not as volatile as before but could conceivably flare up again in the future.
125. In **Peje/Pec** the estimated 1,600 Bosniaks living in the town has remained constant. Total figures for the whole municipality (including a small number of Gorani) are estimated at 4,000 persons. A major concentration is found in **Vitomirica/Vitimirice**, close to Peje/Pec town. Numbers there have fallen slightly from 2,300 to a current estimate of 2,100. Ongoing small-scale departures have been a constant characteristic of this location as the population complains that it simply cannot stand the pressure of long term isolation. Departing residents have often sold their properties to Kosovo Albanians and

left with the hope of starting a new life in Bosnia and Herzegovina or elsewhere abroad. There are no signs of a turn around in this trend. There has been no dramatic incident of violence but rather a slow and unrelenting wearing down of the population which simply do not feel welcome, nor fully secure, in Kosovo.

126. The 1,000 strong population in Istok/Istog has remained constant. A negligible number live in the urban area while others are scattered in a limited number of rural locations including, **Banice/Banija**, **Banja e Pejës/Pecka Banja** and **Dobrushe/Dobruša**.

Gorani

127. Gorani share many characteristics with other Muslim Slav groups but speak their own language which they distinguish from either Serbian or Bosniak. The majority of Gorani live in a readily defined geographical area in **Dragash/Drigas municipality**. There are approximately 12,000 persons (roughly one-third of the total municipal population) settled in the southern part of the municipality known as "Gora". This used to be a municipality in itself between 1990 and 1999. The village of Dragash has a mixed population (approximately one-half Albanian and one-half Gorani). Elsewhere in the numerous rural locations it is more common for each community to live separately.

128. Many Gorani express concern about their future existence, as they have lost their property, including businesses. Since February this year there has been a series of bomb attacks apparently targeting Gorani; three devices exploded; one was found undetonated and; five anti-personnel mines were discovered prior to a festival celebration on a sports field in the vicinity of the Gorani village of Vraniste/Vranic. The underlying patterns of these bombings suggested that the targets are Gorani house and shop owners on the main road of Drigas/Drigas town. Similar attacks on Gorani businesses elsewhere in Kosovo might point to an economic motive, but the net result is the same as far as the Gorani community is concerned - with each attack their confidence of a future within Kosovo takes another blow.

129. Small numbers of Gorani live in locations across Kosovo (as well as in FYROM, Albania and Belgrade). In **Mitrovice/Mitrovica**, for example a group numbering 120, mostly remain in their pre-conflict properties, of which 44 live in south Mitrovice/Mitrovica and 76 in the north. A number of Gorani have however fled from the south, where some of their homes and properties have been illegally. There have been no reported returns but also no recent departures.

Kosovo Turks

130. The Turkish community in Kosovo has remained relatively stable. No major fluctuations in population figures have been noted. Their main issue of concern continues to be the recognition and use of the Turkish language for official purposes. UNMIK's implementation of an agreement reached through the intervention of the Turkish government, eased the acceptance of the Turkish community to register during this reporting period. They had previously boycotted registration procedures as a mark of protest at the non-usage of Turkish on official forms and documents. There is every indication that they will participate fully in the forthcoming Kosovo-wide election. The figures from the recent registration exercise coupled with information by community leaders has substantially confirmed estimated population figures previously reported. A total of 12,000 reside in and around **Prizren**, of which 5,000 are in **Mamusa/Mamushe**; approximately 1,500 to 2,00 in the **Gjilan/Gnjilane** area; approximately 600 in **Mitrovice/Mitrovica**; approximately 300 in **Vushtrri/Vucitrin**; and an undetermined number, estimated only in tens in other locations such as **Prishtine/Pristina** and **Fushe Kosove/Kosovo Polje**.

Croats

131. **Janjevo/Janjeve** and **Letnica/Letnice** are the only two remaining locations with significant concentrated pockets of ethnic Croats. The former is estimated to be home to

some 370 Croats while the latter has seen the population dwindle to less than 50 persons. The influx of ethnic Albanians from FYROM throughout the spring and summer months gave rise to serious concerns that empty Croat homes in Letnica/Letnice would be appropriated, on a temporary and/or permanent basis. Illegal occupation of these properties has been a constant problem since the departure of a large group of Croats in late 1999 and even before then. It was feared that the recent influx would aggravate the situation further. Close monitoring by UNHCR and OSCE supported by HPD intervention has however, gone a long way to alleviating the problem. Some of the occupying refugees were offered and accepted alternative accommodation arrangements, and during a visit of some of the Croat owners to celebrate a religious festival in mid-August, a number of others entered into occupancy arrangements on the basis of mutual agreement. The Croat owners were not overly concerned about temporary occupation of their properties by the refugees. They worry far more about the prospects of permanent appropriation of their homes by their Catholic Albanian neighbours. There is little expectation that ethnic Croats will return to either location in the near future, despite the fact that the situation has remained relatively stable. Those that remain appear to have adjusted to the new realities of their life in Kosovo, but at a price and they do still complain of freedom of movement restrictions resulting from overall insecurity.

Conclusions and Recommendations

As the contents of this report shows, the situation for minority communities in Kosovo is varied and complex. Improvements in one area are offset by stagnation and setbacks in others. The solutions to the many problems faced by the communities are not always readily identifiable nor are they easy to implement. We bear a responsibility in our work with minority communities, not only to document their problems but also to be instrumental in the search for solutions. We have therefore, attempted to draw some basic conclusions and frame some recommendations based on the information presented in the body of the report. We realise that magic solutions are not forthcoming and our intention is not to point a finger at failures but rather to highlight issues of major concern and suggest possible solutions.

Security

- There is an urgent need for a proactive and transparent response to counter community perceptions that KPS operations in some locations may be tarnished by partiality.
- An internal review mechanism, with the capacity to rapidly investigate any allegations of wrongdoing and take appropriate disciplinary action, should be fully operationalised immediately and the public should be informed through a pro-active information campaign.
- The direct involvement of international officers fluent in local languages, would be advantageous in order to preclude any allegations that the investigation is affected by discrimination similar to that, which provoked the original complaint.

Non-discrimination measures and effective remedies

- There is an urgent need for internal review mechanisms, within the existing structures of the major service providers (health, education and utilities, among others).
- Such mechanisms in the form of expert panels or other bodies should form an integral part of the management structures of all major services providers and should be authorised and equipped to receive complaints from members of the general public who allege that they have been discriminated against.
- Such mechanisms would complement and expand on the existing possibilities provided within the justice system and the Institute of the Ombudsperson, and would contribute not only to the effective resolution of individual cases but would serve to provide internal checks and balances to guide the immediate and future policies and actions of each organisation. Such mechanisms will in the long run, prove crucial to the development of systems which ensure fair and equitable delivery of services, in full recognition of the differing needs of each community.
- Where the courts can be shown to be denying available legal remedies the Judicial Inspection Unit should promptly investigate and take disciplinary action against offending judges.

Access and Co-Ordination

- During the reporting period the existing Ad Hoc Task Force on Minorities, jointly chaired by UNCHR and OSCE was discontinued in favour of the establishment of an Advisory Board on Local Communities to be chaired by UNMIK.
- The goal of this new body should be that of drawing together the various strands of experience that exist within the international community with respect to minority populations and ensure that this is given due weight in the development of long ranging policy goals.

- A further function of such a body should be to ensure that the SRSG has access to reliable information on the situation of minority communities, to guide him in the exercise of his executive powers after the establishment of the Assembly of Kosovo.
- Objective targets should be set for the harmonisation of service provision to minority communities. This would provide greater clarity for the new government structures and additionally guide donors in their evaluation of achievements to date when determining levels of future support.
- With specific reference to education, there is a need for more urgent action to ensure full access of all children to adequate and equitable schooling. The reasons parents keep their children out of school must be identified and addressed. However, action should be taken against those who unreasonably keep their children out of school. The right to education is the child's and not the parent's.

Initiatives towards increased dialogue and confidence building measures

- It is abundantly clear that the lack of pro-active engagement of all communities, both in constructive intra-ethnic debate on minority related issues and in broader inter-ethnic debate on future co-operation, is a factor which seriously hinders the current and future development of Kosovo.
- The international community continues to be heavily engaged, in numerous initiatives in Kosovo, but needs to better formulate and follow through, with coherent policies that aim to achieve the over arching goal of multi-ethnicity based on non-violence, mutual respect and tolerance.
- There is an increasingly obvious need for the international community to take a stronger stance on minority related issues making it clear to the leaders and members of all groups in and linked to Kosovo that the policies of avoidance and/or disruptive actions are unacceptable. Future co-operation and continued investment of donor funds should be clearly premised upon a more mature and constructive attitude on all sides.
- In the past many policies in Kosovo have been reaction driven and the security situation has constantly overshadowed and dictated the limitations of reasonable attempts at progress. The tentative improvement in overall security has the beneficial derivative of allowing far reaching policies to be better considered and reflected upon. As Kosovo, moves forward incrementally towards the substantial autonomy envisaged by Security Regulation 1244, it is essential that UNMIK, with the full co-operation and support of all local actors, seizes this unique opportunity to ensure that minority concerns are appropriately placed and adequately attended to in the newly emerging structures and in the policies that they will develop and implement.
- There is a need for much greater involvement of the media (newspaper, television and radio) in fostering a better-informed public debate on the question of minority protection. First and foremost it is the role of the media to ensure objective reporting based on verified facts. The media can additionally influence public opinion through the promotion of tolerance in all aspects of Kosovo society.

